

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-NINTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, June 11, 2003

The Senate was called to order at 1:30 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Adley | Heitmeier | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dean | Jones, CD | Thomas |
| Dupre | Lambert | Ullo |
| Ellington | Lentini | |
| Fontenot | Malone | |
| Total—37 | | |

ABSENT

| | |
|---------|--------|
| Bean | Fields |
| Total—2 | |

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Barham, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Barham, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 11, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 251—

BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to license plates; to provide for a maximum reinstatement fee for certain persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 425—

BY REPRESENTATIVE PITRE
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to exempt drilling rigs used exclusively for the exploration and development of minerals outside the territorial limits of the state in each parish in which the voters approve a proposition granting such exemption; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported without amendments.

HOUSE BILL NO. 696—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 713—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 32:295(A), (B)(2), (C), (D), and (H) and to enact R.S. 32:295(B)(3), (I), and (J), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide relative to the nature of certain violations; to provide relative to penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 775—

BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 34:1951(A), relative to the South Tangipahoa Parish Port Commission; to provide relative to the compensation paid to members of such commission; to prohibit compensation, per diem, or travel reimbursement to be paid to such commissioners; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 941—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 985—BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Bastrop to levy and collect an additional sales and use tax; to authorize a sales tax district; to provide for voter approval; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1043—BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1261 through 1264, and R.S. 36:209(T), relative to the Manchac Parkway; to create the Manchac Parkway and to designate the Manchac Parkway area; to create the Manchac Parkway Commission as a state agency in the Department of Culture, Recreation and Tourism; to provide for the purpose and jurisdiction and the composition, powers, duties, functions, and responsibilities of the commission; to provide for the development and implementation of certain plans; to provide for the powers and duties of the department relative to the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1046—BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 32:1736, relative to the nonconsensual towing of motor vehicles; to provide for definitions; to require certain information on the billing invoice; to provide relative to certain written contracts; to provide relative to signage on certain private property; to require uniform fees; to provide relative to the enforcement of these provisions, including the inspection of billing invoices, contracts, and other information; to provide relative to penalties for noncompliance; to provide relative to a cause of action; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1074—BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:346, relative to duties and functions of certain employees of the Department of Transportation and Development; to authorize the assistant secretary of the office of operations or the chief engineer to close any section of a highway under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1164—BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:261(A)(1), relative to maintenance work not performed by employees of the Department of Transportation and Development; to provide with respect to contracts for maintenance work to be let in accordance with the construction and maintenance bid procedures of the department; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1297—BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 47:1577, relative to state tax obligations constituting a lien, privilege, and mortgage; to provide that state tax lien, privilege, and mortgage arise at the time the tax is assessed; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1339—BY REPRESENTATIVE GLOVER
AN ACT

To rename a portion of Louisiana Highway 3132 between Interstate 20 and Interstate 49, located in Caddo Parish, the Terry Bradshaw Passway; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1406—BY REPRESENTATIVE ROMERO
AN ACT

To enact R.S. 45:164(E), relative to common carriers; to provide relative to movers of household goods; to require all movers of household goods to comply with certain requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1514—BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 38:1483, relative to drainage channels or outfall canals in the parish of Tangipahoa; to provide for public status of certain channels or canals; to provide relative to the use of such channels or canals; to provide with respect to liability for acts causing damage or injury to such channels or canals; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1587—BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the West Ouachita Reservoir Commission as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; to prohibit certain actions and to provide for penalties for certain actions; to provide relative to the district's coordination of certain efforts with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1598—BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 34:1959 and 1961 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1786—

BY REPRESENTATIVE ALARIO AND SENATOR B. JONES
AN ACT

To amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of each board; to provide for the fee amounts; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1800 (Substitute for House Bill No. 1076 by Representative Powell)—
BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951 and 1952 and to repeal R.S. 34:1952.1, relative to the South Tangipahoa Parish Port Commission; to provide that the governing authority of Tangipahoa Parish shall serve as the port commission; to delete provisions relative to the appointment, compensation, and vacancies, relative to commission members; to delete certain provisions relative to commission meetings; to provide relative to the powers of the governing authority; to authorize the governing authority to hire a port director; to provide relative to the port director's powers and duties; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1800 by Representative Powell

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 10, 2003, on page 2, line 5, change "(g)" to "(f)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 10, 2003, on page 2, line 26, following "and" and before "senator" change "the the" to "the"

HOUSE BILL NO. 1850—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 32:1720.1, relative to the towing and storage of motor vehicles; requires a repair or body shop operator to surrender a vehicle to a lienholder under certain circumstances; to require a lienholder to pay certain expenses prior to surrender of the vehicle; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1928—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 48:229, relative to the state highway system; to provide relative to priority reports on construction projects; to provide relative to the factors the Department of Transportation and Development shall consider when deciding the order of priorities; to require the department to consider certain factors when determining the order of priority projects; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates will be purchased before such a plate is created; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1943—

BY REPRESENTATIVE LEBLANC

AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2102, relative to the Lafayette Metropolitan Expressway Commission; to create and provide relative to the Lafayette Metropolitan Expressway Commission; to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction, and duties of the commission; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1979—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 47:511(C), relative to accounts created under the International Registration Plan interstate compact; to provide for the refund of registration or licensure fees to owners of vehicles registered or licensed under certain circumstances; to provide procedures for such refunds; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2018 (Substitute for House Bill No. 1683 by Representative Landrieu, et al.)—

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND, WELCH, WOOTON, WRIGHT, CAZAYOUX, AND DANIEL AND SENATORS CRAVINS, BAJOLE, LENTINI, MICHOT, MOUNT, BOISSIERE, CHAISSON, FIELDS, HOLDEN, HOLLIS, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, AND THOMAS

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A) and (B)(2), 2604, and 2607 and to enact R.S. 15:902.2 and 902.3, Part XI-A of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1110, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, R.S. 36:4(E), Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, and 2605.3, Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2610, and Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751 through 2757, to designate Part II of Chapter 45, comprising

R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to provide with respect to the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to create a juvenile placement review process; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Juvenile Justice Reform Act Implementation Commission, including as one of its duties the creation of a plan for a single state entity for providing services to children and their families; to create the Education/Juvenile Justice Partnership Act; to continue until August 15, 2008, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet and related boards and programs; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 69— BY SENATOR C. JONES

A RESOLUTION

To commend and congratulate Southern University Laboratory High School boys basketball coach Joel Hawkins for winning the 2003 Louisiana Class 1A State Championship title.

On motion of Senator C. Jones, the resolution was read by title and adopted.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Second Reading to be Referred, Subject to Call

The following Senate Bills and Joint Resolutions, Subject to Call, were read and referred to committees as follows:

Called from the Calendar

Senator McPherson asked that Senate Bill No. 43 be called from the Calendar at this time.

SENATE BILL NO. 43—

BY SENATOR MCPHERSON

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(B) and (C), to add Article VII, Section 4(F), and to repeal Article IX, Section 9 of the Constitution of Louisiana, relative to taxes related to natural resources; to authorize the legislature to levy a tax on the use of hydrocarbon processing facilities; to provide for repeal of certain severance taxes; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator McPherson, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Gautreaux asked that Senate Bill No. 59 be called from the Calendar at this time.

SENATE BILL NO. 59—

BY SENATOR GAUTREAU

AN ACT

To amend and reenact R.S. 47:301(10)(a)(i) through (iii) and (18)(a), to enact R.S. 47:301(7)(j), and to repeal R.S. 47:301(10)(a)(iv), relative to state and political subdivision sales and use tax; to provide an exclusion for certain leases and rentals; and to provide for related matters.

On motion of Senator Gautreaux, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Fields asked that Senate Bill No. 65 be called from the Calendar at this time.

SENATE BILL NO. 65—

BY SENATOR FIELDS

AN ACT

To enact R.S. 47:297(N), relative to individual income tax; to provide for a state earned income tax credit; and to provide for related matters.

On motion of Senator Fields, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Fields asked that Senate Bill No. 66 be called from the Calendar at this time.

SENATE BILL NO. 66—

BY SENATOR FIELDS

AN ACT

To enact R.S. 47:297.5, relative to individual income tax; to provide for a child and dependent care expense credit; and to provide for related matters.

On motion of Senator Fields, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Irons asked that Senate Bill No. 127 be called from the Calendar at this time.

SENATE BILL NO. 127—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 47:301(3)(a) and (13)(a), relative to cost price; to provide that the definition of "cost price" and "sales price" for state and political subdivisions sales and use tax shall not include shipping and handling charges; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Barham asked that Senate Bill No. 240 be called from the Calendar at this time.

SENATE BILL NO. 240—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:305(D)(1)(g), relative to revenue and taxation; to provide for an exemption from state sales and use tax for propane; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 344 be called from the Calendar at this time.

SENATE BILL NO. 344—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:449, relative to tax credits; to provide an individual income tax credit for parents or legal guardians of recipients of home and community based services; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 392 be called from the Calendar at this time.

SENATE BILL NO. 392—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 47:32(C) and 287.12 and repeal R.S. 47:21, 22(3) and (4), 31(3), 32(C), 34, 35, 102, 103(A)(1), 120, 120.1, and 120.2, and Subpart A of Part II, comprised of R.S. 47:121, Subpart E of Part II, comprised of R.S. 47:221 through 227, Part II-A, comprised of R.S. 47:287.2 through 287.95, all of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, relative to the corporation income tax; to phase in a reduction and repeal of the tax; to provide for a special effective date for repeal; and to provide for related matters.

On motion of Senator Fontenot, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 393 be called from the Calendar at this time.

SENATE BILL NO. 393—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:601(E) and to repeal Chapter 5 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:601 through 618, relative to the corporation franchise tax; to phase in a reduction and repeal of the tax; and to provide for related matters.

On motion of Senator Fontenot, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 432 be called from the Calendar at this time.

SENATE BILL NO. 432—
BY SENATOR BAJOE

AN ACT

To enact R.S. 47:301(10)(w) and (18)(j), relative to state and political subdivision sales and use tax; to grant an exclusion from such tax for organizations which donate toys to children; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Hoyt asked that Senate Bill No. 435 be called from the Calendar at this time.

SENATE BILL NO. 435—
BY SENATOR HOYT

AN ACT

To provide for the taking of income and franchise tax credits for donations to certain playgrounds or recreational areas on amended returns; and to provide for related matters.

On motion of Senator Hoyt, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Michot asked that Senate Bill No. 622 be called from the Calendar at this time.

SENATE BILL NO. 622—
BY SENATOR MICHOT

AN ACT

To enact R.S. 47:287.89(J), relative to net operating loss; to authorize the sale of certain net operating losses under certain conditions; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Ullo asked that Senate Bill No. 692 be called from the Calendar at this time.

SENATE BILL NO. 692—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 47:293(6)(e), relative to state income tax on certain taxpayers; to provide an exemption from the tax on the military salary for certain Louisiana residents serving in the military and stationed outside the state; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Johnson asked that Senate Bill No. 814 be called from the Calendar at this time.

SENATE BILL NO. 814—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 47:3202(A) and (B), 3203(A), 3204(A), (B)(1), (D), and (G), and 4305(A), R.S. 51:2454(A), 2458(3) and (7), and 2461, and to enact R.S. 47:1713, 3204.1, 4305.1, and R.S. 51:2454(D)(4) and (5), relative to contracts of tax exemption; to provide for certain conditions, restrictions, and procedures; and to provide for related matters.

On motion of Senator Johnson, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Johnson asked that Senate Bill No. 815 be called from the Calendar at this time.

SENATE BILL NO. 815—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 51:942(K), relative to the Department of Economic Development; to provide with respect to small and emerging businesses; to provide for the development and implementation of a mentor-protégé program; to provide incentives for participation in a mentor-protégé; and to provide for related matters.

On motion of Senator Johnson, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 825 be called from the Calendar at this time.

SENATE BILL NO. 825—
BY SENATORS B. JONES AND THEUNISSEN

AN ACT

To amend and reenact R.S. 51:2452(A), 2453(1)(b)(i), and (vi)(bb) and (dd), and 2453(4), relative to the quality jobs program; to provide that certain out-of-state employees locating in Louisiana as "new direct jobs" when determining the amount of rebates under the "Louisiana Quality Jobs Program Act"; to provide for qualifications for the program and for an effective date; and to provide for related matters.

On motion of Senator B. Jones, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Michot asked that Senate Bill No. 856 be called from the Calendar at this time.

SENATE BILL NO. 856—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2453(1)(a) and to enact R.S. 51:2453(1)(a)(i)(dd), relative to the "Louisiana Quality Jobs Program Act"; to exempt certain employers from offering a basic health benefit plan as required by the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Mount asked that Senate Bill No. 879 be called from the Calendar at this time.

SENATE BILL NO. 879—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:293(6)(e), relative to state income tax on certain taxpayers; to provide an exemption from the tax on the military salary for certain individuals serving in the military; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Malone asked that Senate Bill No. 885 be called from the Calendar at this time.

SENATE BILL NO. 885—
BY SENATOR MALONE

AN ACT

To repeal R.S. 47:297(D)(3), relative to the educational income tax credit; and to provide for related matters.

On motion of Senator Malone, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Hollis asked that Senate Bill No. 894 be called from the Calendar at this time.

SENATE BILL NO. 894—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 47:301.1, relative to state sales tax exclusions; to provide for an exclusion from sales tax for Louisiana citizens; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Hollis asked that Senate Bill No. 899 be called from the Calendar at this time.

SENATE BILL NO. 899—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 51:2453(1)(a) and to enact R.S. 51:2453(1)(a)(i)(dd), relative to the "Louisiana Quality Jobs Program Act"; to exempt certain employers from offering a basic health benefit plan as required by the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Michot asked that Senate Bill No. 912 be called from the Calendar at this time.

SENATE BILL NO. 912—
BY SENATOR MICHOT

AN ACT

To enact R.S. 47:305.54, relative to sales and use tax exemptions; to provide for an exemption for the sale of certain types of tangible personal property for a limited period of time each year; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Michot asked that Senate Bill No. 913 be called from the Calendar at this time.

SENATE BILL NO. 913—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:293(6)(e), relative to state income tax on certain taxpayers; to provide an exemption from the tax on the military salary for certain Louisianians serving in the military; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Malone asked that Senate Bill No. 921 be called from the Calendar at this time.

SENATE BILL NO. 921—
BY SENATOR MALONE

AN ACT

To enact R.S. 47:1561.1(C), 1564(C), 1574.1(F) and 1582(C), relative to revenue and taxation; to provide an innocent spouse rule to the assessment and collection procedures of the Department of Revenue; and to provide for related matters.

On motion of Senator Malone, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator C. Jones asked that Senate Bill No. 939 be called from the Calendar at this time.

SENATE BILL NO. 939—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 47:287.752(A), (B)(2), (C)(3), and 297(K)(1), (2)(b), and (3)(c), relative to state income tax; to provide an income tax credit for the employment of certain students and previously incarcerated individuals; and to provide for related matters.

On motion of Senator C. Jones, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator C. Jones asked that Senate Bill No. 961 be called from the Calendar at this time.

SENATE BILL NO. 961—
BY SENATOR C. JONES

AN ACT

To enact R.S. 47:294(C), relative to income tax; to provide for an additional deduction for full-time higher education students; and to provide for related matters.

On motion of Senator C. Jones, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 971 be called from the Calendar at this time.

SENATE BILL NO. 971—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 47:6020, relative to income and franchise tax; to provide for a credit against any income and corporation franchise tax for certain contributions made during a taxable year for the construction, operation, protection, or maintenance of qualified urban greenspace; and to provide for related matters.

On motion of Senator Boissiere, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 976 be called from the Calendar at this time.

SENATE BILL NO. 976—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:305.37(A), relative to the sales and use tax of the state; to grant an exemption for the purchases of fuel by certain school bus drivers; and to provide for related matters.

On motion of Senator Marionneaux, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator McPherson asked that Senate Bill No. 1007 be called from the Calendar at this time.

SENATE BILL NO. 1007—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 47:6005, relative to income and franchise tax; to grant a tax credit for the purchase of certain equipment and/or service contracts related to recycling; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Fields asked that Senate Bill No. 1123 be called from the Calendar at this time.

SENATE BILL NO. 1123—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 40:490(B) and to enact R.S. 40:490(C), relative to tax exemptions; to require a housing authority to make payments in lieu of taxes to certain school boards; and to provide for related matters.

On motion of Senator Fields, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 1124 be called from the Calendar at this time.

SENATE BILL NO. 1124—
BY SENATOR FONTENOT

AN ACT

To enact Chapter 45 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2751 through 2760, relative to economic development; to create the Louisiana Retention and Modernization Program; to provide for incentive rebates to certain businesses to remain in Louisiana which are at high risk for relocation to another state; to provide incentive rebates to certain businesses which modernize their existing operations in this state; to provide for criminal penalties; to provide for rules and regulations; to provide for definitions; and to provide for related matters.

On motion of Senator Fontenot, the bill was read by title and withdrawn from the files of the Senate.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 38—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Lutchet; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 39—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Gramercy; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 121—

BY REPRESENTATIVES SHAW AND ILES
AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 121 by Representative Shaw

AMENDMENT NO. 1

On page 1, line 2, change "32:295.3" to "14:91.2" and change "motor vehicle regulations" to "crimes"

AMENDMENT NO. 2

On page 1, line 9, change "32:295.3" to "14:91.2"

AMENDMENT NO. 3

On page 1, line 10, change "295.3" to "91.2"

AMENDMENT NO. 4

On page 2, delete lines 15 and 16 and insert the following: "returns.
D. Whoever violates this Section shall be fined not more than twenty-five dollars."

AMENDMENT NO. 5

On page 2, line 17, change "**D.**" to "**E.**"

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 128—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 9:2795.3, relative to limitation of liability for motorized off-road vehicle activities; to provide for definitions; to provide for limitations of liability in certain circumstances; to provide for exceptions; to provide for the posting of signs and warnings; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 128 by Representative Montgomery

AMENDMENT NO. 1

On page 2, at the beginning of line 25, change "**Riding**" to "**Driving**"

AMENDMENT NO. 2

On page 3, line 2, after "**vehicle**" and before the period "." insert "**at a motorized off-road vehicle facility**"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 264—

BY REPRESENTATIVES BALDONE AND DOWNER
AN ACT

To enact R.S. 13:1904 (C), (D), and (E), relative to the destruction of certain records in the City Court of Houma; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destructions of records; to provide for requirements prior to destruction; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 303—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:315.20(Obligation Worksheet B), relative to the shared custodial worksheet; to clarify language used in calculating payments to third parties; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 353—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 11:103(D), relative to the Firefighters' Retirement System of Louisiana; to provide for the determination of the employer contribution rate; to provide with respect to valuation of certain outstanding amortization bases; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 354—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), (d), (e), and (f) and (6) and to enact R.S. 11:2260(A)(2)(g), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 365—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 9:315.36, relative to the suspension of licenses for the nonpayment of support; to provide for the judicial suspension of licenses; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 370—
BY REPRESENTATIVE FAUCHEUX
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 397—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 9:292, relative to name changes; to provide for the use of surnames by married persons; to provide for the use of a deceased spouse's surname; to provide for the use of a former spouse's surname; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 397 by Representative Green

AMENDMENT NO. 1

On page 1, at the end of line 9, change "married person" to "woman"

AMENDMENT NO. 2

On page 1, at the beginning of line 10, after "at" and before "option" change "his" to "her"

AMENDMENT NO. 3

On page 1, line 10, change "his surname, his" to "her maiden name, her"

AMENDMENT NO. 4

On page 1, line 11, after "widowed" and before "or" insert a comma ", " and insert "divorced"

AMENDMENT NO. 5

On page 1, at the end of line 11, change "person" to "woman"

AMENDMENT NO. 6

On page 1, line 12, change "his surname" to "her maiden name"

AMENDMENT NO. 7

On page 1, line 12, after "of" and before "deceased" change "his" to "her"

AMENDMENT NO. 8

On page 1, delete lines 14 through 16 in their entirety

AMENDMENT NO. 9

On page 2, delete lines 1 and 2 in their entirety

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 398—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 1734.1, relative to deposits for jury trials; to provide for the discretionary authority of the court in setting the amount of the deposit; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 398 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 14, after "shall" change "include sufficient funds for payment of" to "be reasonable and sufficient to pay"

AMENDMENT NO. 2

On page 1, line 17, after "exceed" delete the remainder of the line and insert "ten thousand dollars for"

AMENDMENT NO. 3

On page 2, delete lines 1 and 2 in its entirety and insert " for the trial. Notice of the fixing"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 404—

BY REPRESENTATIVES HUDSON, CURTIS, LAFLEUR, MORRELL, NEVERS, JACK SMITH, TRICHE, WELCH, WINSTON, BRUCE, ROMERO, AND SNEED

AN ACT

To enact R.S. 14:79.2 and R.S. 46:2143, relative to domestic abuse assistance; to authorize the use of electronic monitoring equipment in certain domestic violence cases; to require the court to specify the terms of electronic monitoring; to provide for minimum requirements of electronic monitoring; to create the crime of tampering with electronic monitoring equipment; to provide for criminal penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 404 by Representative Hudson

AMENDMENT NO. 1

On page 1, line 6, after "monitoring," insert "to provide for the implementation of the use of electronic monitoring on a pilot basis;"

AMENDMENT NO. 2

On page 2, line 10, after "offenders" insert "pilot program"

AMENDMENT NO. 3

On page 3, after line 13, insert the following:

"D.(1)(a) Any court in the parishes of East Baton Rouge and Lafourche which has jurisdiction over the matters provided for in Subsection A of this Section shall be authorized to implement the provisions of this Section. No other court may do so, except as provided in Paragraph (2) of this Subsection.

(b)(i) Any court which exercises this authority shall maintain a record of the use of electronic monitoring devices, their effectiveness, any added costs that result, and any other information relevant to providing a basis for a determination of the value of the use of such devices and whether the authority to use such devices should be expanded to all courts with jurisdiction over the matters provided for in Subsection A of this Section.

(ii) All records required in Item (i) of this Subparagraph shall be submitted to the Judicial Council in a manner and at a time required by the council. The Judicial Council shall review all such records and study any recommendation submitted by the courts with the records and determine whether the authority to use such devices should be expanded to all courts with relevant jurisdiction for use in appropriate matters.

(2) At the conclusion of such study and upon a determination that the authority should be expanded, the pilot continued, or the authority revoked and the use discontinued, the Judicial Council shall advise all relevant courts. This determination shall provide the authority for the use or discontinuation of the use of such devices until the Judicial Council determines otherwise."

On motion of Senator Lentini the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 411—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1541, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the membership of the board of trustees; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 412—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 417—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to the Louisiana State Employees' Retirement System; to provide with respect to judges and officers of the court who are members of the system; to provide relative to retirement eligibility; to provide for retirement at age sixty-five with at least ten years of creditable service; to clarify that remaining in office beyond age seventy is not prohibited by statute if permitted by the constitution; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 417 by Representative Murray

AMENDMENT NO. 1

On page 1, line 3, change "11:558(A)(6)," to "11:558(A)(6) and 562(C),"

AMENDMENT NO. 2

On page 1, line 8, after "constitution;" insert "to provide with respect to survivor benefits;"

AMENDMENT NO. 3

On page 1, line 15, change "and R.S. 11:558(A)(6) is" to "R.S. 11:558(A)(6) and 562(C) are"

AMENDMENT NO. 4

On page 4, between lines 9 and 10 insert the following:

"§562. Survivor benefits
* * *
* * *

C. Notwithstanding the provisions of R.S. 11:471(C), or any other provision of law to the contrary, a benefit shall be payable to the surviving spouse, without regard to the length of time married prior to the death of the member, of a member who had at least seventeen years of creditable service which was earned immediately prior to death, and was in state service at the time of death."

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 453—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 9:5607, relative to civil liability for damages; to provide for peremption of actions for damages against a professional engineer, surveyor, and architect; to provide for a prescriptive period for such actions; to provide for applicability; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 453 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 4, after "venue" delete the remainder of the line and delete lines 5 through 8 in their entirety

AMENDMENT NO. 2

On page 2, line 23, after "C." delete the remainder of the line and delete line 24 in its entirety

AMENDMENT NO. 3

On page 2, line 25, delete "Article 3447."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 501—

BY REPRESENTATIVE SWILLING
AN ACT

To enact R.S. 33:9076, to create the Lake Barrington Subdivision Improvement District; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; to provide relative to district plans; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 501 by Representative Swilling

AMENDMENT NO. 1

On page 2, lines 20 and 23, change "the" to "any"

AMENDMENT NO. 2

On page 3, line 1, change "the" to "any"

AMENDMENT NO. 3

On page 6, between lines 16 and 17 insert:

"(8) Any such unpaid tax or fee will be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as are unpaid ad valorem taxes."

AMENDMENT NO. 4

On page 6, line 17, change "(8)" to "(9)"

AMENDMENT NO. 5

On page 6, at the end of line 25, insert "The city may retain one percent of the amount collected as a collection fee."

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 551—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 9:2772(A) and (C) and to repeal R.S. 9:2772(D), relative to peremptive periods for filing actions involving deficiencies in surveying, design, supervision, or construction of immovables; to provide for periods within which to file certain actions; to repeal obsolete provision relative to prescription of actions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 551 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "(C)" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the end of line 5, delete "to repeal"

AMENDMENT NO. 3

On page 1, line 6, delete "obsolete provisions relative to prescription of actions;"

AMENDMENT NO. 4

On page 3, delete line 8 in its entirety

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 565—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 11:162(C), relative to the Teachers' Retirement System of Louisiana; to provide for membership therein; to provide for classes of employees not eligible for membership; to provide for the promulgation of rules; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 604—

BY REPRESENTATIVES DEVILLIER AND MURRAY
A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide for the protection of the ownership rights of personal property; to clarify that contraband has no such protection; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 717—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 33:4768(A)(1), relative to condemned structures; to provide that the city of Lake Charles, as an alternative to demolition or removal, may make repairs necessary to correct defects in condemned structures within its jurisdiction; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 737—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 35:1.1(A), 191(C)(3), and 391(6), relative to notaries; to provide for an increase in the amount of the required bond for non-attorney and ex officio notaries; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 758—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 11:1152(L), relative to the Louisiana School Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to prohibit reenrollment in the system under certain conditions; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 766—

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact R.S. 49:214.5, relative to coastal restoration; to provide that state and political subdivisions shall be held harmless; to provide for applicability to certain claims; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 784—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2721.1(A), relative to the recordation of leases of immovable property; to provide for recordation of certain mineral leases; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 784 by Representative Daniel

AMENDMENT NO. 1

On page 2, delete lines 6 through 8 in their entirety

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 795—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:20(C), 28(B)(1)(e), 29.4(C), 85(D), 231(B), 371(A), and 376(A) and to enact R.S. 27:30.3, 30.4, 85(E), 260(E), and 376(C), (D), and (E), relative to the Louisiana Gaming Control Law; to provide for a comprehensive revision of the law applicable to gaming; to authorize gaming licensees to detain a person suspected of committing the crime of gaming when the person is under the age of twenty-one; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for applicability; to provide for penalties; to provide for definitions; to delete the provision of law requiring presence of an agent of the gaming board to be present all times during hours of operation at land-based casinos; to provide that a felony crime of violence is a basis for disqualification for granting a license, permit, or other board approval; to require key and non-key gaming employees be twenty-one years of age; to provide criminal penalties for allowing a person under the age of twenty-one to play slot machines in an eligible horse racing facility; to provide with respect to defenses; to prohibit the game of poker to be offered on slot machines at eligible horse racing facilities; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 795 by Representative Martiny

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "371(A)," to "371,"

AMENDMENT NO. 2

On page 1, line 3, after "and 376(A)" insert "and 392(B)(6)"

AMENDMENT NO. 3

On page 1, line 4, after "and (E)," insert "and 392(B)(7),"

AMENDMENT NO. 4

On page 2, line 1, after "facilities;" and before "and" insert "to provide for a reduction in the number of slot machines offering the game of poker; to provide that this reduction shall be phased in over a period of years; to provide for the creation of the St. Landry Parish Economic Development Authority Fund; to provide for its membership; to provide for the distribution of funds;" "

AMENDMENT NO. 5

On page 2, at the end of line 4, change "371(A)," to "371,"

AMENDMENT NO. 6

On page 2, line 5, after "and 376(A)" insert "and 392(B)(6)"

AMENDMENT NO. 7

On page 2, line 6, after "and (E)," insert "and 392(B)(7),"

AMENDMENT NO. 8

On page 6, at the end of line 8, delete "except in the case"

AMENDMENT NO. 9

On page 6, at the beginning of line 9, delete "of emergency"

AMENDMENT NO. 10

On page 7, line 5, after "occurs." and before "slot" delete "No" and insert "Except as provided in Subsection B of this Section, on or after June 1, 2003, no"

AMENDMENT NO. 11

On page 7, between lines 8 and 9 insert the following:

"B. The owner of an eligible facility where slot machine gaming is being conducted on June 1, 2003, in accordance with the provisions of this Chapter, shall have until December 31, 2006, to bring the eligible facility into full compliance with the provisions of Subsection A of this Section. The owner of the eligible facility shall reduce the number of slot machines which offer the game of poker for operation or play as follows:

(1) By July 1, 2004, ten percent of the slot machines offering the game of poker on June 1, 2003, shall be replaced or modified so that they no longer offer the game of poker for operation or play.

(2) By July 1, 2005, an additional forty percent of the slot machines offering the game of poker on June 1, 2003, shall be replaced or modified so that they no longer offer the game of poker for operation or play.

(3) By December 31, 2006, all remaining slot machines offering the game of poker on June 1, 2003, shall be replaced or modified so that they no longer offer the game of poker for operation or play.

B- C. Nothing in this Chapter shall be construed to permit the operation or play of any type of game the play of which requires the participation of an employee of the licensee."

AMENDMENT NO. 12

On page 8, after line 18, insert the following:

§392. Collection and disposition of fees and taxes

B. (1) All fees, fines, revenues, state taxes, and other monies collected by the division shall be forwarded upon receipt to the state treasurer for immediate deposit into the state treasury. Funds so deposited shall first be credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution of Louisiana.

(6)(a) After complying with the provisions of Paragraphs (1) through (5) of this Subsection, the state treasurer shall, each fiscal year, credit an amount not to exceed three hundred fifty thousand dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the St. Landry Parish Economic Development Authority Fund which is hereby created in the state treasury. Monies in the St. Landry Parish Economic Development Authority Fund, for purposes of this Subparagraph referred to as the "fund," shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Board of Commissioners of the St. Landry Parish Economic Development Authority to promote, plan for, coordinate, and support economic development within the parish of St. Landry. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(b) The St. Landry Parish Economic Development Authority, hereinafter referred to as the "authority" is hereby created as a body politic and corporate of the state, and its territorial limits and jurisdiction shall extend throughout the parish of St. Landry. The authority shall be a political subdivision of the state as defined in Article VI, Section 44(2) of the Constitution of Louisiana.

(c) The authority is established for the purpose of having a council composed of representatives from the business community and municipal government to perform the functions necessary for the promotion, planning, coordination, and support of economic development within the parish of St. Landry.

(d) The governing authority of the St. Landry Parish Economic Development Authority shall be known as the Board of Commissioners of the St. Landry Parish Economic Development Authority. The board shall consist of six members who shall be citizens of the United States residing within the limits of the district.

(e) The commissioners shall be appointed as follows:

(i) The mayor of the city of Opelousas who shall serve as chairman of the board.

(ii) The mayor of the city of Eunice.

(iii) One member shall be appointed by the senator whose senatorial district encompasses the city of Opelousas.

(iv) One member shall be appointed by the mayor of the city of Opelousas.

(v) One member shall be appointed by the mayor of the city of Eunice.

(vi) One member shall be appointed by the Opelousas Chamber of Commerce.

(f) The terms of the commissioners shall be staggered so that of the initial members appointed, one shall serve a two-year term, one a three-year term, and two for four-year terms. The determination of which terms shall run for two, three, or four years shall be made by the board by lot at its first meeting. The commissioners thereafter appointed at the expiration of the terms of the initial appointees shall serve for terms of four years. No member of the board may be appointed for more than two consecutive terms.

(g) Vacancies shall be filled in the manner of the original appointments, in accordance with the provisions set forth in Subparagraph (e) of Paragraph (6) of this Subsection.

(h) Appointed commissioners shall serve at the pleasure of the appointing authority or agency. The appointing authority or agency shall have the right to remove and replace commissioners appointed by it, with or without cause, and, where a vacancy exists, to fill the vacancy in the office of the commissioner or commissioners which have been allotted to that appointing authority or agency.

(i) The board may establish in its bylaws the procedures and criteria for removal of any of its appointed members with cause by majority vote of its membership.

(j) In order to facilitate the performance of its duties hereunder and to further promote the economic development of the parish and region, the board of commissioners may establish an advisory board. The advisory board may be composed of persons, or groups in the parish or region which the board of commissioners believes will be able to contribute and assist in the task of economic development. The composition and size of this advisory board and the terms of its members shall be at the discretion of the board of commissioners.

(6)(7) After compliance with the provisions of Paragraphs (1) through (5) (6) of this Subsection, remaining monies shall be deposited in and credited to the state general fund."

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 813—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 9:2801.1, relative to community property; to provide for the allocation of community property equal to the value of a pension or retirement plan when federal law precludes community classification.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 816—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 15:574.1 and 574.2(A)(3), relative to the traveling expenses of the members of the Board of Parole and the Board of Pardons; to provide that members of the Board of Parole and the Board of Pardons shall have the use of a state-owned vehicle; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 816 by Representative Murray

AMENDMENT NO. 1

On page 3, at the end of line 2, after "vehicles," insert the following "The chairman, vice chairman, and members of the board shall not be entitled to reimbursement for mileage when they are provided with the use of a state-owned vehicle in accordance with this Section."

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 853—

BY REPRESENTATIVES FARRAR, R. CARTER, FAUCHEUX, HEATON, AND WELCH

AN ACT

To enact R.S. 13:996.60, relative to judicial expense fund accounts of the various district courts; to permit interest earned on money in other accounts of the district court to be deposited into the judicial expense fund account; to provide for an exception; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 883—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), 4720.29(A), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 884—

BY REPRESENTATIVE HEATON

AN ACT

To enact Code of Criminal Procedure Articles 893(F) and 894(E) and R.S. 44:9(J), relative to expungement of criminal arrest records under the public records law; to provide for waiver of filing fees in certain cases; to provide for application; to provide for eligibility; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 884 by Representative Heaton

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line, delete lines 3 and 4, and insert the following: "amend and reenact R.S. 44:9(A), relative to criminal records; to provide relative to court ordered expungement of arrest records; to authorize a processing fee for such expungement;"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "to provide for application; to provide for eligibility;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 44:9(A) is"

AMENDMENT NO. 4

On page 1, delete lines 10 through 17 and insert the following:

"§9. Records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony

A.(1) Any person who has been arrested for the violation of a municipal or parish ordinance or for violation of a state statute which is classified as a misdemeanor may make a written motion to the district, parish, or city court in which the violation was prosecuted or to the district court located in the parish in which he was arrested, for expungement of the arrest record, ~~if~~ under either of the following conditions:

(1a) The time limitation for the institution of prosecution on the offense has expired, and no prosecution has been instituted; or

(2b) If prosecution has been instituted, and such proceedings have been finally disposed of by dismissal, sustaining of a motion to quash, or acquittal.

(2) If the court finds that the mover is entitled to the relief sought, ~~for either of the above reasons as authorized by this Subsection~~, it shall order all agencies and law enforcement offices having any record of the arrest, whether on microfilm, computer card or tape, or on any other photographic, electronic, or mechanical method of storing data, to destroy any record of arrest, photograph, fingerprint, or any other information of any and all kinds or descriptions. The court shall order such custodians of records to file a sworn affidavit to the effect that the records have been destroyed and that no notations or references have been retained in the agency's central repository which will or might lead to the inference that any record ever was on file with any agency or law enforcement office. The original of this affidavit shall be kept by the court so ordering same and a copy shall be retained by the affiant agency which said copy shall not be a public record and shall not be open for public inspection but rather shall be kept under lock and key and maintained only for internal record keeping purposes to preserve the integrity of said agency's files and shall not be used for any investigative purpose. This Subsection does not apply to arrests for a first or second violation of any ordinance or statute making criminal the driving of a motor vehicle while under the influence of alcoholic beverages or narcotic drugs, as denounced by R.S. 14:98 or 98.1.

(3)(a) The Bureau of Criminal Identification and Information may charge a processing fee of one hundred and twenty-five dollars for the expungement of any record of arrest when ordered to do so by the court in compliance with the provisions of this Section.

(b) The clerk of court shall collect the processing fee at the time the motion for expungement is filed and may collect a fee of up to ten dollars to cover the clerk's administration costs. If the court finds the mover is entitled to the relief sought, the clerk shall direct the collected processing fee to the Bureau of Criminal Identification and Information and the processing fee amount shall be deposited immediately upon receipt into the Criminal Identification and Information Fund. If the court does not grant such relief, the clerk of court shall return the fee to the moving party.

* * *

AMENDMENT NO. 5

Delete page 2 and on page 3, delete lines 1 through 9

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 906—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1641(B) and (C) and 1642(A)(introductory paragraph) and (3), relative to the Louisiana District Attorneys' Retirement System; to provide relative to Deferred Retirement Option Plan subaccounts; to provide for the investment of funds in such subaccounts after a member ceases participation in the plan and the crediting of interest to such subaccounts; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 911—

BY REPRESENTATIVES SCHNEIDER AND MCVEA
AN ACT

To amend and reenact R.S. 11:1516, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the repayment of withdrawn accumulated employee contributions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 915—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:822(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to election procedures for members of the board of trustees; to provide for dissemination of election information to system members; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 916—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:779(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to deceased disability retirees; to provide for benefits for surviving minor children; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 995—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to judges and court officers who are members of the Louisiana State Employees' Retirement System; to provide for retirement of judges and court officers with ten years of creditable service upon attaining the age of sixty-five years; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1035—

BY REPRESENTATIVES JOHNS, DIEZ, AND THOMPSON
AN ACT

To enact R.S. 13:5106(F), relative to driving while intoxicated; to provide for the injury or death of certain operators of motor vehicles; to provide a limitation of liability for the state, state agencies, and political subdivisions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1035 by Representative Johns

AMENDMENT NO. 1

On page 1, line 10, after "heir" and before the comma ",", insert "of the operator of the motor vehicle"

AMENDMENT NO. 2

On page 1, line 13, after "vehicle" delete the remainder of the line and delete line 14 in its entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 15, delete "substance or was consuming an alcoholic beverage"

AMENDMENT NO. 4

On page 2, after line 5, insert the following:

"Section 2. Nothing in this Act shall be construed as repealing, in whole or in part or by implication R.S. 9:2798.4."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1051—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is frivolous; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1061—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 26:906(C), relative to the permit process for obtaining a registration certification or permit to sell tobacco products; to authorize a dealer or vending machine operator to pay the annual renewal fee for a registration certification or permit by check; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1061 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 26:906(C)" to "R.S. 26:73(B), 272(B), and 906(C)"

AMENDMENT NO. 2

On page 1, line 3, after "products" insert "and for obtaining certain restaurant permits"

AMENDMENT NO. 3

On page 1, line 5, after the semicolon ";" insert "to provide for the definition of alcoholic beverages under certain circumstances;"

AMENDMENT NO. 4

On page 1, line 8, after "1." change "R.S. 26:906(C) is" to R.S. 26:73(B), 272(B), and 906(C) are"

AMENDMENT NO. 5

On page 1, between lines 9 and 10, insert the following:
§73. Restaurant "R" permit; application; fees

B. (1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(1a) Which operates a place of business whose purpose and primary function is to take orders for and serve food and food items;

(2b) Which serves alcoholic beverages in conjunction with meals;

(3c) Which serves food on all days of operation;

~~(4d) Repealed by Acts 1995, No. 1081, §2, eff. June 29, 1995.~~

(5d) Which maintains separate sales figures for alcoholic beverages; and

(6e) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises.

(2) Sparkling and/or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

§272. Restaurant "R" permit; application; fees

B. (1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(1a) Which operates a place of business whose purpose and primary function is to take orders for and serve food and food items;

(2b) Which serves alcoholic beverages in conjunction with meals;

(3c) Which serves food on all days of operation;

~~(4d) Repealed by Acts 1995, No. 1081, §2, eff. June 29, 1995.~~

(5d) Which maintains separate sales figures for alcoholic beverages; and

(6e) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises.

(2) Sparkling and/or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1077—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 27:312(C)(1)(b)(introductory paragraph) and to enact R.S. 33:171(C), relative to municipal annexations; to provide relative to monies distributed to certain parishes and municipalities from the Video Draw Poker Device Fund relative to such annexations; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1085—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:3819(D), relative to the Ward Two Water District of the Parish of Livingston; to increase the maximum per diem authorized to be paid to members of the governing board of the district for attending board meetings; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1087—

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1098—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 38:2181(D), relative to public contracts; to provide for the venue for suits to enjoin the award of a competitively bid contract; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1142—

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 40:2405(F), relative to peace officer training requirements; to provide for a suspension of training requirements for certain Louisiana National Guard military police during certain emergency circumstances; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1171—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:442(3)(b), (c), and (d) and to repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to delete references to the office of highways; to provide relative to the persons required to sign or approve certain information annexed to the petition to expropriate; to repeal requirements relative to mailing notification to property owners; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1188—BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:62, relative to state and statewide retirement systems; to provide with respect to employee contribution rates; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1188 by Representative Schneider

AMENDMENT NO. 1

On page 1, at the beginning of line 12, insert "A."

AMENDMENT NO. 2

On page 2, after line 26, insert:

"B. The employer may make contributions on behalf of the employee for all or part of the contributions required hereunder."

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1204—BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2180.2(C) and 2180.3(C)(3) and to enact R.S. 11:2178.1(C)(14) and 2180.5, relative to the Sheriffs' Pension and Relief Fund; to provide for calculation of Back-DROP benefits to assure compliance with the Internal Revenue Code, for an increase in the annual compensation limit subject to federal law that is used for purposes of certain calculations used in determining benefits, for the definition of "eligible retirement plan" for purpose of transfers of benefits, and for creation of an excess benefit plan; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1237—BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact Code of Civil Procedure Articles 2332(A), 2636(1), and 3722 and to repeal Code of Civil Procedure Article 2639, relative to foreclosure; to provide for appraisals in judicial sales under fieri facias; to provide for authentic evidence in executory proceedings; to provide for enforcement by ordinary process; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1255—BY REPRESENTATIVE PEYCHAUD
AN ACT

To amend and reenact R.S. 9:2800(C) and (E), relative to limitations of liability for public entities; to provide a limitation of liability for public entities responding to reports of dangerous conditions; to provide definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1259—BY REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 9:315.45(B)(1), relative to drivers' licenses; to provide relative to the suspension of a driver's license for nonpayment of child support; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1278—BY REPRESENTATIVES SCHNEIDER, DANIEL, AND TRICHE
AN ACT

To amend and reenact R.S. 11:103(B)(3)(e)(i), (ii), and (iv), relative to the Municipal Police Employees' Retirement System; to provide for the determination of the employer contribution rate; to change the period for amortization of certain changes in actuarial liability from fifteen years to thirty years; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1307—BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 40:432 and to enact R.S. 40:384(28), relative to local housing authorities; to provide for definitions; to authorize the collection of criminal history record information on applicants for public housing and vouchers under Housing Choice Voucher programs; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1325—BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:124 and 181 and to enact R.S. 11:183 through 185, relative to administration and duties of retirement boards and committees, to provide for state and statewide retirement systems and the Public Retirement Systems' Actuarial Committee; to provide for membership, administration, duties, and responsibilities; to provide for education; to provide for quorum requirements, meeting dates, and per diem; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 1325 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 14, after "Retirement" delete the comma "," and insert "and"

AMENDMENT NO. 2

On page 2, line 15, after "Retirement," delete the remainder of the line and at the beginning of line 16 delete "commissioner of administration."

AMENDMENT NO. 3

On page 3, line 18, after "Retirement" delete the comma "," and insert "and"

AMENDMENT NO. 4

On page 3, line 19, after "Retirement," delete the remainder of the line and at the beginning of line 20 delete "commissioner of administration."

AMENDMENT NO. 5

On page 7, line 21, change "(3) No" to "(3) Except as otherwise provided by the Constitution, or in R.S. 42:3.1, no"

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1385—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:2866.1, relative to property adjudicated to parishes and municipalities; to provide relative to the payment of commissions to licensed realtors who assist parishes and municipalities in selling property adjudicated to them for nonpayment of taxes; to provide with respect to guidelines; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1395—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Civil Code Article 113, relative to interim spousal support; to provide for the termination of support; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1426—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:449(C), 788(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1426 by Representative Daniel

AMENDMENT NO. 1

On page 1, lines 3 and 16, delete "1641(C),"

AMENDMENT NO. 2

On page 1, line 4, after "and 2257(F)(2)" insert ", to enact R.S. 11:788(C)(1), (2), and (3), 1152(F)(3)(a), (b), and (c), 1312 (H)(1), (2), and (3), 1456(F)(1)(a), (b), and (c), 1530(F)(1), (2), and (3), 1763(F)(2)(a), (b), and (c), 1938(F)(2)(a), (b), and (c), 2178.1(C)(9)(a)(i), (ii), and (iii), 2221(F)(2)(a), (b), and (c), and 2257(F)(2)(a), (b), and (c) and to repeal R.S. 11:2221(G) and 2257(G)"

AMENDMENT NO. 3

On page 1, line 9, after "market investment" insert "or a self-directed plan"

AMENDMENT NO. 4

On page 1, line 17, after "amended and reenacted" insert "and R.S. 11:788(C)(1), (2), and (3), 1152(F)(3)(a), (b), and (c), 1312 (H)(1), (2), and (3), 1456(F)(1)(a), (b), and (c), 1530(F)(1), (2), and (3), 1763(F)(2)(a), (b), and (c), 1938(F)(2)(a), (b), and (c), 2178.1(C)(9)(a)(i), (ii), and (iii), 2221(F)(2)(a), (b), and (c), and 2257(F)(2)(a), (b), and (c) are hereby enacted"

AMENDMENT NO. 5

On page 2, line 4, change "All" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, all"

AMENDMENT NO. 6

On page 2, line 6, after "plan shall be" insert "credited with interest at the end of each plan year at a rate equal to the realized return on the system's portfolio for that plan year as certified by the system actuary in his actuarial report, less one-half of one percent. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be"

AMENDMENT NO. 7

On page 2, line 7, after "Such subaccounts" change "shall" to "may"

AMENDMENT NO. 8

On page 2, line 9, change "one-half" to "one-fourth"

AMENDMENT NO. 9

On page 2, line 17, change "All" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, all"

AMENDMENT NO. 10

On page 2, line 19, after "plan shall be" insert "credited with interest after the end of each fiscal year at a rate equal to the realized return on the system's portfolio for that fiscal year as certified by the system actuary in his actuarial report, less one-half of one percent. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be"

AMENDMENT NO. 11

On page 2, line 20, after "Such subaccounts" change "shall" to "may"

AMENDMENT NO. 12

On page 2, line 22, change "one-half" to "one-fourth"

AMENDMENT NO. 13

On page 2, line 22, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:"

(1) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(2) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the

participant. The participant shall be given such options that comply with federal law for self-directed plans.

(3) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 14

On page 3, line 6, change "All" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, all"

AMENDMENT NO. 15

On page 3, line 8, after "plan shall be" insert "credited with interest at the end of each plan year at a rate equal to the realized return on the system's portfolio for that plan year as certified by the system actuary in his actuarial report, less one-half of one percent. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be"

AMENDMENT NO. 16

On page 3, line 9, after "Such subaccounts" change "shall" to "may"

AMENDMENT NO. 17

On page 3, line 11, change "one-half" to "one-fourth"

AMENDMENT NO. 18

On page 3, line 11, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(b) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed

portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 19

On page 3, line 24, change "After" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, after"

AMENDMENT NO. 20

On page 3, line 26 after "shall" insert "earn interest at a rate of one-half percentage point below the percentage rate of return on the system's investment portfolio as certified by the actuary in his yearly evaluation report, said interest to be credited to his individual account balance on an annual basis. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 21

On page 4, line 1, after "account balances" change "shall" to "may"

AMENDMENT NO. 22

On page 4, line 3, change "one-half" to "one-fourth"

AMENDMENT NO. 23

On page 4, line 3, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(1) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(2) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(3) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for

any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 24

On page 4, line 12, change "If" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, if"

AMENDMENT NO. 25

On page 4, line 15, after "shall" insert "earn interest at the actual rate of return, less one percent, earned on the funds. The funds in such account shall be invested as directed by the board of trustees. A member's account shall cease to earn interest upon termination of employment. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 26

On page 4, line 16, after "Such account balances" change "shall" to "may"

AMENDMENT NO. 27

On page 4, line 18, change "one-half" to "one-fourth"

AMENDMENT NO. 28

On page 4, line 18, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(b) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 29

On page 5, line 7, change "If" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, if"

AMENDMENT NO. 30

On page 5, line 9, after "employment," insert "earn interest at the actual rate of return earned on the account as certified by the custodian of such assets. The funds in all such accounts shall be invested as directed by the board. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 31

On page 5, line 11, after "Such accounts" change "shall" to "may"

AMENDMENT NO. 32

On page 5, line 12, change "one-half" to "one-fourth"

AMENDMENT NO. 33

On page 5, line 13, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(1) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(2) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(3) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 34

On page 5, delete lines 17 through 26

AMENDMENT NO. 35

On page 6, line 9, change "After" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, after"

AMENDMENT NO. 36

On page 6, line 11, after "plan shall" insert "earn interest at the actual rate of return earned on the funds left on deposit with the system for the purpose of earning interest thereon as certified by the custodian of the system's assets. Any such interest shall be credited to his individual account balance on an annual basis. With respect to any

individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 37

On page 6, line 14, change "one-half" to "one-fourth"

AMENDMENT NO. 38

On page 6, line 14, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(b) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 39

On page 6, line 24, change "After" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, after"

AMENDMENT NO. 40

On page 7, line 1, after "balance in the plan shall" insert "earn interest at a rate based upon the rate of return of a short-term U.S. Treasury security, a group of short-term U.S. Treasury securities, or an index of short-term U.S. Treasury securities to be selected by the board of trustees, said interest to be credited to the individual's account balance on an annual basis. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 41

On page 7, line 3, after "balances" change "shall" to "may"

AMENDMENT NO. 42

On page 7, line 4, change "one-half" to "one-fourth"

AMENDMENT NO. 43

On page 7, line 5, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(b) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 44

On page 7, line 18, change "Any" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, any"

AMENDMENT NO. 45

On page 7, line 20 after "which shall" insert "earn interest at a rate based upon a ten-year U.S. Treasury security, with interest to be credited to the individual's account balance on an annual basis. The unpaid account balance shall be remitted to the member upon thirty days' written notice. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 46

On page 7, line 22, after "Such accounts" change "shall" to "may"

AMENDMENT NO. 47

On page 7, line 23, change "one-half" to "one-fourth"

AMENDMENT NO. 48

On page 7, line 24, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

(i) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(ii) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(iii) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 49

On page 8, line 8, change "After" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, after"

AMENDMENT NO. 50

On page 8, line 9, after "plan shall" insert "earn interest at a rate of one-half of one percent below the percentage rate of return of the system's investment portfolio as certified by the actuary in his yearly evaluation report, said interest to be credited to his individual account balance on an annual basis. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 51

On page 8, line 11, after "Such account balances" change "shall" to "may"

AMENDMENT NO. 52

On page 8, line 12, change "one-half" to "one-fourth"

AMENDMENT NO. 53

On page 8, line 13, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:"

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(b) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider

shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 54

On page 8, line 22, change "After" to "With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, after"

AMENDMENT NO. 55

On page 8, line 24, after "the plan shall" insert "earn interest at a rate equal to the percentage rate of return of the system's investment portfolio, less the cost of merger notes, as certified by the actuary in his yearly evaluation report, less the cost of administering the Deferred Retirement Option Plan program to be determined annually by the board of trustees, said interest to be credited to his individual account balance on an annual basis. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall"

AMENDMENT NO. 56

On page 8, line 26, after "Such account balances" change "shall" to "may"

AMENDMENT NO. 57

On page 9, line 2, change "one-half" to "one-fourth"

AMENDMENT NO. 58

On page 9, line 2, change "annum." to "annum; or at the option of the system, the funds may be credited to subaccounts as herein established:"

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system.

(b) After the contributing period ends the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system is authorized to hire a third party provider. The third party provider shall act as an agent of the system for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to participant are not the obligations of the state or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance."

AMENDMENT NO. 59

On page 9, between lines 9 and 10, insert the following:
"Section 2. R.S. 11:2221(G) and 2257(G) are hereby repealed."

AMENDMENT NO. 60

On page 9, between lines 9 and 10 insert the following:
"Section 3. In the event that Senate Bill number 425 of the 2003 Regular Session of the Legislature is enacted into law, the provisions of this Act impacting the Louisiana State Employees' Retirement System shall not apply to the Louisiana State Employees' Retirement System. In case of conflict between the provisions of this Act and the provisions of Senate Bill number 425 of the 2003 Regular Session of the Legislature, then the provisions of Senate Bill number 425 shall apply."

AMENDMENT NO. 61

On page 9, lines 10 and 12, change "July 1, 2003" to "January 1, 2004"

AMENDMENT NO. 62

On page 9, line 10, change "Section 2." to "Section 4."

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1427—

BY REPRESENTATIVES POWELL, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed House Bill No. 1427 by Representative Powell

AMENDMENT NO. 1

On page 3, line 6, after "any" insert "person handling strawberries"

AMENDMENT NO. 2

On page 3, delete line 7 and insert "in the primary channels of trade." and delete lines 8, 9, and 10

AMENDMENT NO. 3

On page 3, between lines 13 and 14, insert the following:

"(7) "Shipper" means any person, partnership, association, or corporation, engaged in the shipping of strawberries or transporting strawberries whether as owner, agent, or otherwise."

AMENDMENT NO. 4

On page 4, line 7, change "B." to "B.(1)"

AMENDMENT NO. 5

On page 4, line 16, change "twelve" to "thirteen" and on line 17, change "commissioner" to "governor, which membership shall be composed of residents from the parishes of Ascension, Livingston, or Tangipahoa."

AMENDMENT NO. 6

On page 4, line 19, change "(1)" to "(a)"

AMENDMENT NO. 7

On page 4, line 20, change "(2)" to "(b)"

AMENDMENT NO. 8

On page 4, line 22, change "(3)" to "(c)"

AMENDMENT NO. 9

On page 4, line 24, change "(4)" to "(d)"

AMENDMENT NO. 10

On page 5, line 1, change "(5)" to "(e)"

AMENDMENT NO. 11

On page 5, line 3, change "(6)" to "(f)"

AMENDMENT NO. 12

On page 5, between lines 4 and 5, insert the following:

"(g) One member shall be a person with a financial interest in the strawberry industry."

"(2) If the governor fails to make an appointment to the board within one hundred and twenty days following any vacancy on the board, then the commissioner of agriculture shall make the appointment subject to confirmation by the Senate."

AMENDMENT NO. 13

On page 5, line 5, after "C." insert the following: "The presence of seven members of the board shall constitute a quorum for the transaction of all business and the carrying out of duties of the board. Each member shall take and subscribe to the oath of office prescribed for state officers. No member of the board shall receive any salary, but each member shall receive the sum of twenty dollars per day for each day spent in actual attendance of meetings of the board and such allowance for traveling expenses in attending the meeting as is allowed other state employees for traveling expenses."

AMENDMENT NO. 14

On page 5, line 12, delete "The" and delete lines 13, 14, and 15

AMENDMENT NO. 15

On page 5, line 16 after "D." insert the following: "The members of the board shall meet and organize immediately after their appointment, and annually thereafter shall elect a chairman, and a vice chairman, from the membership of the board, whose duties shall be those customarily exercised by such officers, or specifically designated by the board. The board may establish rules and regulations for its own government, and the administration of the affairs of the board."

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AMENDMENT NO. 16

On page 5, delete lines 22 through 26

AMENDMENT NO. 17

On page 6, delete lines 1 through 3

AMENDMENT NO. 18

On page 6, line 4, after "E." insert the following: "The board shall employ a director and assistant director who shall be appointed by the board, subject to the approval of the commissioner. The director and assistant director shall be in the unclassified service. The commissioner is authorized to employ such other personnel necessary to carry into effect the rules, regulations, and ordinances that may be adopted by the board."

AMENDMENT NO. 19

On page 6, line 9, before "Appointed" insert the following:

"F. At the same time and in the same manner, the governor shall appoint one alternate for each appointed member. Each alternate shall possess the same qualifications as the member for whom he is appointed as an alternate. When a member is unable to be present at any meeting of the board, his alternate shall serve in his place. Any alternate serving in the place of a member shall be deemed to be a member for purposes of that meeting and shall exercise all of the powers vested by law in the member, including the right to vote."

AMENDMENT NO. 20

On page 6, line 11, change "commissioner" to "governor"

AMENDMENT NO. 21

On page 7, delete lines 1 through 14

AMENDMENT NO. 22

On page 7, line 15 delete "Officers and employees" and insert "Powers; commissioner; board; records"

AMENDMENT NO. 23

On page 7, line 16, after "A." insert the following: "The commissioner of agriculture shall administer the terms of this Part and control and disburse the proceeds of the tax assessment levied and collected hereunder; engage employees necessary to carry on the work of the board; and may continue to maintain a field office at Hammond, Louisiana, to carry on the work of the board and where meetings of the board may be held; and may establish rules and regulations for the administration of the provisions of this Part. To assist in the collection of the tax assessment, the commissioner may cause his duly authorized agent or representative to go upon the premises of any grower, shipper, dealer, or handler of strawberries and examine or cause to be examined by any such agent or representative any books, papers, records, or memoranda bearing on the amount of taxes assessments payable, and to secure other information directly or indirectly concerned in the enforcement of this Part."

AMENDMENT NO. 24

On page 8, line 2, delete "The" and delete lines 3, 4, and 5

AMENDMENT NO. 25

On page 8, line 6, after "B." insert the following:

"The Louisiana Strawberry Marketing Board is vested with the following powers:

- (1) To establish rules and regulations to encourage the expansion, improvement, and betterment of strawberries in Louisiana;
- (2) To provide rules and regulations for the processing, marketing, distributing, and storing of strawberries and related products;
- (3) To adopt rules and regulations necessary to provide for the establishment of state grades for strawberries;
- (4) To promulgate and enforce rules and ordinances, make inspections, and perform other acts necessary to control the classification, inspection, grading, marking of containers, and

marketing of strawberries, such rules and ordinances to have the effect of law;

(5) To contract and be contracted with, and to have and possess all the powers of a body corporate for all purposes necessary for fully carrying out the provisions of this Part."

AMENDMENT NO. 26

On page 8, delete lines 22 through 26

AMENDMENT NO. 27

On page 9, delete lines 1 and 2 and insert the following:

"C. Copies of the proceedings, records, and acts of the board and certificates purporting to relate the facts concerning such proceedings, records, and acts signed by the chairman of the board shall be prima facie evidence thereof in all the courts of the state."

AMENDMENT NO. 28

On page 9, line 7, delete "Powers" and insert "Assessment on strawberries; collection; costs"

AMENDMENT NO. 29

On page 9, delete lines 10 through 26, and insert in lieu thereof the following: "An assessment is hereby levied on all strawberries produced in Louisiana or produced elsewhere and distributed in Louisiana. For all strawberries sold by volume or dry measure this assessment is levied on each pint, or equivalent, of strawberries in the amount of \$.00165 for each pint. For all strawberries sold by weight this assessment is levied on each pound of strawberries in the amount of \$.00185 per pound. Any strawberries sold in increments of pints, pounds, or their equivalent shall be assessed at a prorated assessment for the applicable rate."

AMENDMENT NO. 30

On page 10, delete lines 1 through 10

AMENDMENT NO. 31

On page 10, delete line 15 and delete lines 16 through 26 and insert in lieu thereof the following: "Louisiana strawberry producers shall pay this assessment at the point of first sale in Louisiana on the containers used by them to hold strawberries. The first Louisiana handler of strawberries produced elsewhere and distributed in Louisiana shall collect the assessment at the point of first distribution in Louisiana."

AMENDMENT NO. 32

On page 11, delete lines 1 through 11

AMENDMENT NO. 33

On page 11, delete lines 19 through 21, and insert the following:

"The person responsible for collecting the assessment shall remit the assessment to the commissioner on or before the fifteenth day of the month immediately following each quarter for collections made during that quarter.

D. Any person who fails to pay any assessment due under the provisions of this Part within fifteen days after the payment is due shall be liable not only for the assessment but also for a late fee equal to twenty percent of the amount of the unpaid assessments. Any person cast in judgment for any unpaid assessment or late fee shall pay all costs connected with the bringing of the civil action, including reasonable attorney fees incurred by or on behalf of the board, plus legal interest from date of judicial demand."

AMENDMENT NO. 34

On page 11, delete line 23 and insert in lieu thereof the following: "Deposit and disbursement of assessments"

AMENDMENT NO. 35

On page 12, at the end of line 7, add the following:

"The proceeds of the assessment collected by the department shall be deposited with the state treasurer in a special fund to be established by him for the Louisiana Strawberry Marketing Board in the

administration of this Part; and disbursement thereof shall be made on the warrant of the commissioner drawn on the state treasurer out of the fund providing that disbursement may only be authorized by a majority of the members of the board."

AMENDMENT NO. 36

On page 12, delete lines 8 through 25

AMENDMENT NO. 37

On page 13, delete lines 1 through 8

AMENDMENT NO. 38

On page 13, line 9 delete "Deposit and disbursement of" and insert "Advertising strawberries; contracts", and delete "assessments" on line 10

AMENDMENT NO. 39

On page 13, between lines 10 and 21 insert the following:
"The board working with the Department of Agriculture shall plan and conduct a campaign for advertising, publicizing, and promoting the increased consumption of strawberries and may contract for any advertising, publicity, and sales promotion services, the amount of the contract to be limited each year to the estimated amount of the tax for the year less the estimated cost of administering this Part. The board is further empowered to take any other action which it deems necessary to promote and improve the well-being of the strawberry industry. The commissioner is authorized and empowered to carry out any and all contracts made by the board."

AMENDMENT NO. 40

On page 13, delete lines 21 through 25

AMENDMENT NO. 41

On page 14, delete lines 1 through 13

AMENDMENT NO. 42

On page 14, line 14 change "Offenses; hearing;" to "Offenses; penalty", and delete line 15

AMENDMENT NO. 43

On page 14, between lines 23 and 24 insert the following: "Any handler, dealer, or shipper of strawberries who wilfully evades the payment of the ~~tax~~ assessment provided for in R.S. 3:475, or who violates any other provision of this Part, shall be fined not more than five hundred dollars. If any shipper fails to pay any ~~tax~~ assessment due under the provisions of this Part within thirty days after the ~~tax~~ assessment payment is due, he shall be liable to a penalty of twenty percent thereof, and the attorney general shall enforce payment of the ~~tax~~ assessment and penalty by civil action against the shipper for the amount of the ~~tax~~ assessment and penalty."

AMENDMENT NO. 44

On page 14, delete lines 24 through 26

AMENDMENT NO. 45

On page 15, delete lines 1 through 25

AMENDMENT NO. 46

On page 16, delete lines 1 and 2

On motion of Senator Smith, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1459—

BY REPRESENTATIVES THOMPSON, KATZ, AND MCDONALD
AN ACT

To enact R.S. 40:573(12), relative to Housing Cooperation Law; to provide with respect to housing developments and

redevelopment projects; to provide for public hearings; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1459 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 14, delete "and grant or withhold approval"

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1463—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii)(cc), relative to qualified truck stops for the operation of video draw poker devices; to provide for the number of hours per day the restaurant at a qualified truck stop must be open; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1487—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1622, relative to fire protection and prevention; to provide for criminal and civil liability for violations; to provide for a rebuttable presumption; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1488—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 33:3817(B), relative to waterworks districts; to authorize the board of commissioners of such districts to employ a president and to fix his salary; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1564—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing officer's recommendations; to provide for final judgments; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1564 by Representative Walsworth

AMENDMENT NO. 1

On page 2, line 10, delete "all protective orders in" and delete lines 11 through 13 in their entirety

AMENDMENT NO. 2

On page 2, line 14, delete "personal abuse, terrorizing, stalking or harassment" and insert the following: "all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and the Children's Code and all injunctions filed in accordance with R.S. 9:361, 371 and 372 and Code of Civil Procedure Articles 3601 et seq., which involve personal abuse, terrorizing, stalking or harassment."

AMENDMENT NO. 3

On page 2, line 21, after "concerning" insert "any domestic and family matters as set forth by local court rule, including but not limited to"

AMENDMENT NO. 4

On page 2, delete line 23, and insert the following:

"(a) Hear and make recommendations on establishment and modification of child and spousal support, child custody and visitation."

AMENDMENT NO. 5

On page 2, at the beginning of line 24, after "(b)" insert "Hear and make recommendations on", change "Method" to "method", and after "of" and before "support" insert "child and spousal"

AMENDMENT NO. 6

On page 2, at the beginning of line 25, after "(c)" insert "Hear and make recommendations on", change "Enforcement" to "enforcement", and after "of" and before "support" insert "child and spousal"

AMENDMENT NO. 7

On page 2, at the end of line 26, after "1355" insert ", and on enforcement of child custody and visitation"

AMENDMENT NO. 8

On page 3, at the beginning of line 1, after "(d)" insert "Hear and make recommendations on" and change "Contested" to "contested"

AMENDMENT NO. 9

On page 3, line 11, delete "including uncontested matters", delete lines 12 through 14 in their entirety and insert "provided"

AMENDMENT NO. 10

On page 3, at the end of line 24, after "et seq." insert ", and to make recommendations regarding the referral of parties to counseling and substance abuse treatment."

AMENDMENT NO. 11

On page 5, at the end of line 26, delete "The judgment after"

AMENDMENT NO. 12

On page 6, delete line 1, and at the beginning of line 2, delete "accordance with law."

AMENDMENT NO. 13

On page 6, at the end of line 18, after "judgment." insert "The judgment after signature by a district judge shall be served upon the parties in accordance with law."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 156—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 15:501(B)(1), relative to evidence from criminalistics laboratories; to provide for the cross-examination of persons who performed an examination or analysis of evidence at a criminalistics laboratory; to provide for the use of certificates of analysis and to provide when such certificates shall not constitute prima facie proof of its contents or proper custody; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1617—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Civil Code Article 1833, relative to signatures on authentic acts; to require legible hand printed or typed names; to provide for defect of form; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1626—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:723.1(B), relative to the Teachers' Retirement System of Louisiana; to provide for actuarial purchase of service credit for certain service performed under contract; to provide relative to the time period during which such purchase may be made and procedures therefor; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1641—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Code of Criminal Procedure Articles 262, 271(A), and 272, and to enact Code of Criminal Procedure Article 262.1 and 281, relative to extradition; to provide with respect to the authority of the governor in extradition cases; to provide with respect to admitting a person to bail in extradition cases; to provide with respect to the surrender of a person against whom a criminal prosecution is pending in this state; to provide authority to charge an extradited person with crimes other than the crime for which he was extradited; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1684—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:301 through 309, relative to state and statewide retirement systems; to reestablish the Commission on Public Retirement; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1684 by Representative Daniel

AMENDMENT NO. 1

On page 1, delete lines 13 and 14 in their entirety

AMENDMENT NO. 2

On page 5, line 15, after "issue" and before "reports" insert "electronic"

AMENDMENT NO. 3

On page 6, line 2, between "The" and "House" insert "Senate and"

AMENDMENT NO. 4

On page 6, line 25, after "Committee" insert a comma ","

AMENDMENT NO. 5

On page 7, at the beginning of line 1, delete "and"

AMENDMENT NO. 6

On page 7, at the end of line 2, delete the period "." and insert a comma "," and "comparisons of differing benefit provisions within a single system including but not limited to the differences among benefits for employees of the Department of Public Safety and Corrections, the efficacy and prudence of bond issuance for any of these systems, and the need for legislation relating to retirement."

AMENDMENT NO. 7

On page 7, between lines 10 and 11, insert:

"C. The commission shall hold a public meeting in the week before the convening of the regular session of the legislature to review and prioritize all bills prefiled for that session affecting state or statewide retirement systems."

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1720—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 33:4045.1, relative to sewerage assessments in the city of Lake Charles; to provide relative to the payment and collection of such assessments; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1720 by Representative Flavin

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert the following:

"To enact R.S. 33:3827(I) and 4045.1, relative to sewerage and water assessments in the city of Lake"

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." delete the remainder of the line and insert the following:

"R.S. 33:3827(I) and 4045.1 are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, between lines 9 and 10 insert the following:

"§3827. Local or special assessment

* * *

I. (1) Notwithstanding any other provision of law to the contrary, the governing authority of the city of Lake Charles may assess costs to establish, acquire, construct, improve, extend, and maintain within the city a waterworks system or systems, including such treatment facilities as may be required with all necessary equipment in installations in connection therewith, including extensions as may be proper to connect such system or systems with the main waterworks system of the city or any other available system or facilities whether within or without the city in accordance with the provisions of R.S. 33:3827 and this Subsection and any other applicable statutory provisions.

(2) Notwithstanding any other provision of law to the contrary, in the city of Lake Charles, if a local or special assessment is levied by ordinance pursuant to R.S. 33:3827(C) or this Subsection, it shall be placed upon the tax rolls and divided into equal installments. The number of required installments shall be determined by the governing authority of the city. The first installment shall be due and payable at the same time as the taxes of the year in which the work is completed and the remaining installments will be due and collectable during the period that the regular taxes are collectable by the city of Lake Charles. The day of delinquency of these installments shall be the thirty-first day of December of the year in which each installment falls due in principal or in interest. Each installment shall carry the same rate of interest as does the certificate issued by the governing authority of the city of Lake Charles, and the interest shall be paid annually on the unpaid installments.

(3) The owner of the property assessed under the provisions of R.S. 33:3827(C) or this Subsection may pay in cash within ten days after the adoption of the ordinance levying such assessment and shall receive on account of the cash payment a discount equal to five percent per annum on the amount due and paid by him, which discount shall likewise be allowed by the contractor to the governing authority of the city of Lake Charles.

(4) In the event any owner of property subject to the lien and privileges authorized pursuant to R.S. 33:3827(D) or this Subsection fails to pay the amount apportioned against his property at its maturity, the governing authority of the city of Lake Charles may file a rule against the owner to show cause why the property should not be sold for the purpose of enforcing payment on the installments due, which rule shall be made returnable after five days of service in the manner required for ordinary citations, and shall be tried by preference. Judgment against the property holder shall be executed in the same manner as ordinary judgments.

(5) Notwithstanding any other provision of law to the contrary, the governing authority of the city of Lake Charles may provide that the provisions of this Subsection shall apply to assessments levied pursuant to R.S. 33:3829.

* * *

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1724—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 15:572.2, relative to compensation of members of the Board of Pardons; increases the salaries of the chairman and the members of the Board of Pardons; provides for a separate salary and increased salary for the vice chairman; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1726—

BY REPRESENTATIVE MORRELL

AN ACT

To enact R.S. 33:4071.1 and to repeal R.S. 33:4085(C), relative to the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1726 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 33:4071.1 and to"

AMENDMENT NO. 2

On page 1, at the end of line 4, delete "to"

AMENDMENT NO. 3

On page 1, delete line 5

AMENDMENT NO. 4

On page 1, line 6, delete "Water Board of New Orleans;"

AMENDMENT NO. 5

On page 1, delete lines 11 through 16 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 1 through 6 in their entirety

AMENDMENT NO. 7

On page 2, line 7, change "2" to "1"

AMENDMENT NO. 8

On page 2, line 8, change "3" to "2"

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1741—

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 8-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:871 through 878, relative to delivery sales of cigarettes; to provide for definitions; to provide relative to the regulation of sales of cigarettes when such sale is made pursuant to an order placed by means of telephone or other voice transmission, mail or other delivery service, or the Internet or online service or when delivery is made by mail or by delivery service; to provide for penalties for violations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1741 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 9, after "violations;" insert "to provide relative to the promulgation of rules and regulations;"

AMENDMENT NO. 2

On page 4, at the end of line 14, change "delivers" to "causes to be delivered"

AMENDMENT NO. 3

On page 5, at the end of line 6, change "R.S. 47:877" to "R.S. 47:876"

AMENDMENT NO. 4

On page 5, between lines 11 and 12, insert the following:

"C. The commissioner of the office of alcohol and tobacco control may promulgate rules and regulations pursuant to the Administrative Procedure Act. R.S. 49:950 et seq., to implement this Section."

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1761—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4138 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of eighteen million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1761 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 33:4071.1"

AMENDMENT NO. 2

On page 1, line 6, after "Orleans;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 7, delete "Sewerage and Water Board of New Orleans;"

AMENDMENT NO. 4

On page 1, line 13, delete "and R.S."

AMENDMENT NO. 5

On page 1, line 14, delete "33:4071.1 is hereby enacted"

AMENDMENT NO. 6

On page 1, delete lines 15 and 16 in their entirety

AMENDMENT NO. 7

On page 2, delete lines 1 through 10 in their entirety

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1762—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4148 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of sixty-eight million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1762 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 33:4071.1"

AMENDMENT NO. 2

On page 1, line 6, after "Orleans;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 7, delete "the Sewerage and Water Board of New Orleans;"

AMENDMENT NO. 4

On page 1, line 13, delete "and R.S."

AMENDMENT NO. 5

On page 1, line 14, delete "33:4071.1 is hereby enacted"

AMENDMENT NO. 6

On page 1, delete lines 15 through 17 in their entirety

AMENDMENT NO. 7

On page 2, delete lines 1 through 9 in their entirety

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1794—

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1808—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Evidence Article 1001(3), relative to the contents of writings, recordings, and photographs; to include certain data within the definition of "original"; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1811—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 11:752(A) and to enact R.S. 11:752(F) and 754(C), relative to the Teachers' Retirement System of Louisiana; to provide relative to unused annual and sick leave; to require payment for unused accumulated leave which cannot be converted to retirement credit; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1811 by Representative Triche

AMENDMENT NO. 1

On page 2, line 6, after "percent" and before "excluding" delete "of his average compensation," and insert in lieu thereof "accrual."

AMENDMENT NO. 2

On page 2, at the end of line 8, delete "such leave," and insert in lieu thereof "up to two years of such unused accrued leave."

AMENDMENT NO. 3

On page 2, line 16, after "percent" and before "excluding" delete "of his average compensation," and insert in lieu thereof "accrual."

AMENDMENT NO. 4

On page 2, at the end of line 18, delete "such leave," and insert in lieu thereof "up to two years of such unused accrued leave."

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1820—

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact Code of Evidence Article 518, relative to privileged communications; to provide for a testimonial privilege for certain communications made to a trained peer support member; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1846—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 14:95.3, relative to the crime of unlawful use of body armor; to revise the provision of law which makes the use of body armor by persons who have been convicted of certain crimes a criminal offense; to provide that the possession of body armor by persons who have been convicted of certain crimes is a criminal offense; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1846 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 12, after "A." insert "(1)"

AMENDMENT NO. 2

On page 1, line 14, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 1, line 16, change "(2)" to "(b)"

AMENDMENT NO. 4

On page 2, line 1, change "(3)" to "(c)"

AMENDMENT NO. 5

On page 2, line 2, change "(4)" to "(d)"

AMENDMENT NO. 6

On page 2, line 4, change "(5)" to "(e)"

AMENDMENT NO. 7

On page 2, line 6, change "(6)" to "(f)"

AMENDMENT NO. 8

On page 2, line 7, change "(7)" to "(g)"

AMENDMENT NO. 9

On page 2, line 9, change "(8)" to "(h)"

AMENDMENT NO. 10

On page 2, line 11, change "(9)" to "(i)"

AMENDMENT NO. 11

On page 2, between lines 14 and 15, insert the following:

"(2) The prohibition in Paragraph (1) of this Subsection shall not apply to any person who is participating in a witness protection program."

On motion of Senator Lentini, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1852—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1854—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 35:12 and 191(C)(2)(a) and to enact R.S. 35:202, 215, 216, and 409, relative to notaries public; to provide for the use of identification numbers on notarized documents; to require the filing of annual reports and filing fees; to provide for late charges and penalties; to provide for uniform standards for notary examinations; to provide for the authority and duties of the secretary of state; to provide for certain fees; to provide for a database of all notaries; to provide for the authority of ex officio notaries; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1854 by Representative Bowler

AMENDMENT NO. 1

On page 6, delete lines 17 through 22 in their entirety and insert the following:

"(3) Publish and make available to the public a document containing all material to be made a part of the notarial examination. The material shall be maintained by the secretary"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1859—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:3001, relative to the limit on parish governing authority appropriations for certain fairs and festivals; to increase such limit; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1862—

BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 15:572(A) and (B), relative to pardons; to provide that a pardon shall not be issued to any person unless that person has paid all of the fees and fines which were imposed in connection with the conviction of the crime for which the pardon is to be issued; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1862 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 4, delete "fees and fines" and insert in lieu thereof "court costs"

AMENDMENT NO. 2

On page 1, line 11, delete "fees and fines" and insert in lieu thereof "court costs"

AMENDMENT NO. 3

On page 2, at the end of line 1 delete "fees and "

AMENDMENT NO. 4

On page 2, line 2, change "fines" to "court costs"

AMENDMENT NO. 5

On page 2, line 9, delete "fees and fines" and insert in lieu thereof "court costs"

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1881—BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:449(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1881 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 3, delete "1641(C)."

AMENDMENT NO. 2

On page 1, line 16, delete "1641(C)."

AMENDMENT NO. 3

On page 5, delete lines 4 through 17 in their entirety

On motion of Senator Tarver, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1884—BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1884 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 9:4753" insert "and to enact "R.S. 9:2781.2"

AMENDMENT NO. 2

On page 1, line 4, after "lien;" insert "to provide for enforcement and collection of fees due a certified real estate appraiser; to provide for a privilege on certain immovable property; to provide for recordation of notice of privilege; to provide for ranking of the privilege;"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 9:2781.2 is hereby enacted to read as follows:
§2781.2. Real estate appraiser privilege on commercial real estate; definition; recordation; ranking

A. A special privilege affecting the interest of the person with whom he has contracted is hereby granted to a state-certified real estate appraiser as defined in R.S. 37:3392 for the amount of his fee on all real estate on which he performs an appraisal pursuant to a written agreement between the appraiser asserting the privilege and

a person having legal capacity to transfer the real estate or a person having valid title to the real estate as owner.

B. Valid recorded privileges and all mortgages, whether recorded prior or subsequent to, shall have priority over an appraiser's privilege, including but not limited to:

(1) Valid materialman's or laborer's liens which are recorded subsequent to the appraiser's privilege but which relate back to a date prior to its recordation.

(2) All mortgages, whether to secure revolving credit, future advances, construction loans, including all renewals thereof, even if the renewals are evidenced by an entirely new mortgage and the old mortgage is canceled.

(3) All vendor's liens.

C.(1) A notice of appraiser privilege shall be filed at least five days prior to the sale in the parish in which the real estate is located. Such notice shall also be given to the purchaser by certified mail at least five days prior to the sale.

(2) The person claiming a privilege shall commence proceedings by filing a complaint within one year after the filing of the notice. The failure to do so shall extinguish the lien. No subsequent notice shall be given for the same claim, nor shall that claim be asserted in any proceeding under this Section.

(3) A complaint may be withdrawn by the mutual consent of the person claiming the privilege and any other party or parties to the written agreement specified in Subsection A of this Section.

(4) The privilege may be released by the posting of a bond or other assets with the court sufficient in value to cover the full value of the claim. This escrowed amount shall be disbursed by the court upon the finality of a judicial decision and in a manner consistent with the decision.

D. As used in this Section, "real estate" means real estate as defined in R.S. 37:1431(6)."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1896—BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 9:2800.13, relative to liability for damages related to transportation of material by carrier; to provide for specific findings of fact; to provide for a determination of causation; to provide for evidence of negligence or fault; to provide for the applicability of comparative fault; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1916—BY REPRESENTATIVE DARTEZ
AN ACT

To amend and reenact R.S. 33:2333(B)(2)(a) and to repeal R.S. 33:2333(B)(3), relative to the disposition of stolen, seized, or relinquished property; to provide with respect to the disposition of noncontraband property; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1969—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 33:9076, relative to improvement districts; to provide for the continued levy of certain taxes and fees that support certain improvement districts; to provide for voting requirements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2016 (Substitute for House Bill No. 1060 by Representative Beard)—
BY REPRESENTATIVE BEARD
AN ACT

To enact Chapter 17 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2391 through 2398, relative to reclaimed water; to establish a reclaimed water program; to provide for definitions; to prohibit the use of potable water for certain purposes if reclaimed water is available; to provide for the use of revenue collected from the sale of reclaimed water; to create a drought-proof supply of water for industry; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 2016 by Representative Beard

AMENDMENT NO. 1

On page 4, line 9, after "golf courses" insert "built and completed on and after August 15, 2003"

AMENDMENT NO. 2

On page 4, line 13, after "purposes" insert "or to irrigate the grassy areas of golf courses built and completed before August 15, 2003"

AMENDMENT NO. 3

On page 5, line 18, after "gallon" insert "including the cost of piping or transporting the reclaimed water, that"

AMENDMENT NO. 4

On page 6, after line 15, insert the following:
"Section 2. The Department of Environmental Quality shall report to the Senate Committee on Environmental Quality and the House Committee on the Environment prior to the 2004 Regular Session of the legislature on the utilization of reclaimed water."

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2020 (Substitute for House Bill No. 1546 by Representative Bowler)—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:2273, relative to trusts; to provide for the definition of corporate trustee; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2022 (Substitute for House Bill No. 1932 by Representative Daniel)—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 30:2015.1, relative to the remediation of usable ground water; to provide for purpose; to provide for notice of actions to recover damages for usable ground water contamination; to provide for certain state departments intervening or being made parties to such actions; to provide for remediation plans and response by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for certain court costs; to provide for expenditure of funds from such registry; to provide for posting of bonds; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 2022 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 14, after "A." insert "(1)"

AMENDMENT NO. 2

On page 2, delete lines 4 through 7 in their entirety and insert the following:

(2) That in accordance with this mandate, the legislature has created the Department of Environmental Quality and the Department of Natural Resources, which are invested with authority over the natural resources of the state within their respective areas of authority.

(3) That in order to protect the usable ground waters of the state consistent with the health, safety, and welfare of the people, the respective authorities of the Department of Environmental Quality and Department of Natural Resources over the remediation of contamination or to prevent any threatened contamination of the sources of usable ground water is hereby confirmed.

AMENDMENT NO. 3

On page 2, line 8, delete "(2) Upon" and insert "B. Notwithstanding any law to the contrary, upon"

AMENDMENT NO. 4

On page 2, delete lines 11 and 12 in their entirety and insert the following: "pollution that is alleged to impact or threaten usable ground water, the party"

AMENDMENT NO. 5

On page 2, delete lines 19 and 20 in their entirety and insert the following: "pollution that is alleged to impact or threaten usable ground water, the"

AMENDMENT NO. 6

On page 3, line 5, after "exists" delete the remainder of the line, and on line 6, delete "contamination of usable ground water exists"

AMENDMENT NO. 7

On page 3, line 7, after "required" insert "to protect usable ground water"

AMENDMENT NO. 8

On page 4, delete lines 3 through 14 in their entirety and insert the following:

(4) No plan shall be adopted by the court without consideration of considerable input by the Department of Natural Resources or the Department of Environmental Quality.

D. After a trial on the merits, if the court makes a determination that contamination exists which poses a threat to public health as to

which evaluation or remediation is required to protect usable groundwater and determines the party responsible, the court shall render judgment adopting the plan which the court determines is the most feasible plan to evaluate or remediate the contamination and protect the groundwater consistent with the health, safety, and welfare of the people. To the extent the judgment requires the evaluation or remediation to protect usable groundwater, the court shall order the responsible party to deposit the estimated cost to implement the plan in the registry of the court. No plan shall be adopted by the court without consideration of considerable input by the Department of Natural Resources or the Department of Environmental Quality.

AMENDMENT NO. 9

On page 4, line 19, after "pollution", delete the remainder of the line and delete lines 20 and 21 in their entirety and insert the following: "that are attributable to or based on allegations by the plaintiff or evidence presented by the plaintiff at the trial on the merits, of impact or threatened impact to usable ground water, shall be paid exclusively into the registry of the court as provided in this Section."

AMENDMENT NO. 10

On page 5, line 24, after "and" delete remainder of the line and insert the following: "attorney fees, based on quantum meruit and attributable to producing that portion of the evidence that directly relates to claims of contamination that impacts or threatens to impact usable ground water."

AMENDMENT NO. 11

On page 5, line 25, after "(2)", delete "To the extent that" and insert "In any civil action in which"

AMENDMENT NO. 12

On page 6, line 2, delete "pursuant" and delete lines 3 through 5 in their entirety and insert in the following: "such agency shall be entitled to recover from the party cast in judgment, all costs, including evaluation and review costs, expert witness fees and attorney fees, based on quantum meruit."

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2026 (Substitute for House Bill No. 408 by Representative Martiny)—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:311(F), relative to the Video Draw Poker Devices Control Law; to exempt device owners from maintaining a minimum balance or security under certain conditions; to provide penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2027 (Substitute for House Bill No. 466 by Representative Martiny)—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:317 and to enact R.S. 27:302.1, relative to the Video Draw Poker Devices Control Law; to provide that certain parts for video draw poker devices can be purchased from sources other than licensed manufacturers and distributors; to delete residence and domicile requirements for certain licensees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 2027 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:317" and before the comma ",", delete "and to enact R.S. 27:302.1"

AMENDMENT NO. 2

On page 1, at the end of line 9, delete "and R.S." and on line 10 delete "27:302.1 is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 11 through 18

AMENDMENT NO. 4

On page 2, line 3, change "~~distributor~~," to "distributor"

AMENDMENT NO. 5

On page 2, line 8, change "~~distributor~~," to "distributor"

AMENDMENT NO. 6

On page 2, after "B." delete the remainder of line 14 and delete lines 15 through 18 and insert in lieu thereof the following: "An applicant for a device owner license who ~~has owned~~ **owns** and ~~operated~~ **operates** a pari-mutuel wagering facility or an off-track wagering facility in this state ~~for a period of ten continuous years prior to June 1, 1992~~; shall not be required to meet the residency requirement for device owners provided for in Subsection A of this Section.

AMENDMENT NO. 7

On page 2, delete lines 19 through 24 and insert in lieu thereof:

** * *

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2030 (Substitute for House Bill No. 1083 by Representative Powell)—

BY REPRESENTATIVE POWELL

AN ACT

To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.619, to create the Hammond Area Economic and Industrial Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governing authority of the district and its powers and duties; to provide relative to taxes to be levied and collected in the district; to provide relative to the issuance of bonds; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 2030 by Representative Powell

AMENDMENT NO. 1

On page 2, line 21, change "~~the Ward Seven of~~" to "the city limits of the city of Hammond, including all land subsequently annexed thereto."

AMENDMENT NO. 2

On page 2, delete lines 22 through 25 in their entirety

AMENDMENT NO. 3

On page 4, line 1, after "person," delete the remainder of the line

AMENDMENT NO. 4 On page 4, delete line 2

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2032 (Substitute for House Bill No. 1593 by Representative Flavin)— BY REPRESENTATIVE FLAVIN

AN ACT

To enact Subpart M of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.201 through 140.207, relative to physical development of parishes and municipalities; to provide with respect to the creation of a metropolitan planning commission in the parish of Calcasieu; to provide for the creation, organization, powers, and duties of a metropolitan planning commission; to provide with respect to the regulation of the subdivision and zoning of land in the metropolitan planning area; to provide for the adoption of ordinances prescribing minimum construction, health, and sanitation standards; to provide for joint or correlated action by the governing authority of any municipality within the parish and the police jury of Calcasieu Parish in the adoption of ordinances or other measures; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Hainkel asked for and obtained a suspension of the rules and recommitted House Bill No. 1281, which was on Third Reading and Final Passage, to the Committee on Revenue and Fiscal Affairs.

Reconsideration

On motion of Senator Boissiere, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, June 10, 2003 was reconsidered.

SENATE BILL NO. 1075— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 42:5(D), to enact R.S. 42:5(E), and to repeal R.S. 42:5.1, relative to public meetings; to provide that public comments at school board meetings shall comply with the same standard as other public bodies; to provide with regard to the agendas of city, parish, and other local public school boards; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

Senator Lambert in the Chair

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 42—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 38:2212(C)(2), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by means other than mail; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 42 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 12, following "C." delete the remainder of the line and delete lines 13 through 15 and on page 2 delete line 1 and insert asterisks " * * * "

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hoyt | Mount |
| Chaisson | Irons | Romero |
| Cravins | Johnson | Schedler |
| Dardenne | Jones, B | Smith |
| Dupre | Jones, CD | Tarver |
| Ellington | Lambert | Theunissen |
| Fontenot | Lentini | Thomas |
| Gautreaux | Malone | |
| Heitmeier | Marionneaux | |
| Total—31 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|-----------|--------|
| Adley | Boissiere | Hollis |
| Bajoie | Dean | Ullo |
| Bean | Fields | |
| Total—8 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 53— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

June 11, 2003

SENATE BILL NO. 70—
BY SENATOR GAUTREUX

AN ACT

To amend and reenact R.S. 32:365(A), relative to motor vehicles; to provide with respect to traffic safety regulations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 70 by Senator Gautreaux

AMENDMENT NO. 1

On page 1, line 12, after "television broadcast" delete the remainder of the line and delete line 13 in its entirety and delete "discs" from the beginning of line 14 and insert "or a video signal that produces entertainment or business applications"

AMENDMENT NO. 2

On page 2, at the end of line 1, insert the following:

"Additionally, no retailer shall install a television receiver screen or other means of receiving a visual television broadcast or video signal that produces entertainment or business applications, in a motor vehicle at any point forward of the back of the driver's seat or at any point which would make the device visible to the driver while operating the motor vehicle."

AMENDMENT NO. 3

On page 2, line 12, after "screen" and before the comma "," insert "that produces entertainment or business applications"

AMENDMENT NO. 4

On page 2, line 13, after "equipment has" delete the remainder of the line in its entirety and insert "a"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed Senate Bill No. 70 by Senator Gautreaux

AMENDMENT NO. 1

On page 2, at the end of line 1, change the period "." to a comma "," and add "or which is visible outside the vehicle."

Senator Gautreaux moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Cain | Holden | Michot |
| Chaisson | Hoyt | Mount |
| Cravins | Irons | Romero |
| Dardenne | Johnson | Schedler |
| Dupre | Jones, CD | Smith |
| Ellington | Lambert | Tarver |
| Fontenot | Lentini | Theunissen |
| Gautreaux | Malone | Thomas |
| Total—30 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Boissiere | Hollis |
| Bajoie | Dean | Jones, B |
| Bean | Fields | Ullo |
| Total—9 | | |

The Chair declared the amendments proposed by the House were rejected. Senator Gautreaux moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 104—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:3881(A)(2)(d), relative to seizures; to provide for an exemption in bankruptcy proceedings for a motor vehicle valued at seven thousand five hundred dollars or less; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 104 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:3881(A)(2)(d)" and before the comma ",", insert "and to enact R.S. 13:3881(A)(2)(f)"

AMENDMENT NO. 2

On page 1, line 3, after "exemption" and before "for" delete "in bankruptcy proceedings" and insert "from seizure"

AMENDMENT NO. 3

On page 1, line 4, after the semicolon ";" and before "and" insert "to provide for the exemption from seizure of one firearm with a maximum value of five hundred dollars;"

AMENDMENT NO. 4

On page 1, line 7, after "reenacted" and before "to" insert "and R.S. 13:3881(f) is hereby enacted"

AMENDMENT NO. 5

On page 2, line 2, after "(d)" and before "motor" delete "One" and insert "Seven thousand five hundred dollars in equity value for one"

AMENDMENT NO. 6

On page 2, line 3, after "household" and before "NADA" change the comma "," to a period "." and delete "with a" and insert "The equity value of the motor vehicle shall be based on the"

AMENDMENT NO. 7

On page 2, line 4, after "model" delete the remainder of the line and at the beginning of line 5, delete "dollars."

AMENDMENT NO. 8

On page 2, after line 11, add the following:
"(f) one firearm with a maximum value of five hundred dollars."

Senator Barham moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Malone |
| Barham | Hines | Marionneaux |
| Cain | Holden | McPherson |
| Chaisson | Hollis | Michot |
| Cravins | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Bean | Fields |
| Bajoie | Boissiere | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 106—
BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421, relative to deceptive and unfair trade practices; to provide that a retail business may not require or obtain certain personal information for certain transactions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 232—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), (8), and (9), relative to medical malpractice; to provide changes in definitions of certain terms; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 232 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 40:1299.41(A)(1), (8), and (9)" to "R.S. 40:1299.41(A)(1) and (3)"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 40:1299.41(A)(1), (8), and (9)" to "R.S. 40:1299.41(A)(1) and (3)"

AMENDMENT NO. 3

On page 2, line 13, after "by" and before "health" delete "or for"

AMENDMENT NO. 4

On page 2, delete lines 21 through 26 in their entirety

AMENDMENT NO. 5

On page 3, delete lines 1 through 12 in their entirety

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Adley | Heitmeier | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Cain | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, CD | Theunissen |
| Dupre | Lambert | Thomas |
| Ellington | Lentini | |
| Fontenot | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|----------|------|
| Bean | Fields | Ullo |
| Boissiere | Jones, B | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 251—

BY SENATOR LENTINI (On Recommendation of the La. Law Institute)
AN ACT

To amend and reenact R.S. 9:1893, 1963, 1965, 1990, 2051, 2068, 2159(1), and 2241 and to enact R.S. 9:1809, 1979, and 2131, relative to the Louisiana Trust Code, the beneficiaries of a trust; the powers of a trustee, and the principal and income of a trust; to provide for the representation of a principal beneficiary who is a descendant, a sibling, or a descendant of a sibling of the settlor and who predeceases the settlor of a testamentary trust; to provide for a definition of accumulated income and to permit its distribution without objective standards; to provide for the beneficiaries of an interest in trust income after the termination of an interest in trust income; to provide for the status of a potential substitute principal beneficiary; to provide for the effect of a refusal of an interest in a trust; to provide for the modification, division, termination, or revocation of a trust by a testament; to provide for the non-prorata distribution of trust property by a trustee; to provide that a trustee may not make an adjustment between principal and income if the adjustment would cause ineligibility for the estate-tax or gift tax marital deduction or charitable deduction; to provide for the selection by the trustee of the attorney to handle the legal affairs of a trust; and to provide for related matters.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 251 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "and 2241" to "2241, and 2273"

AMENDMENT NO. 2

On page 2, line 5, after the semicolon ";" and before "and" insert "to provide for the authority of corporate trustees under the charitable trust provisions;"

AMENDMENT NO. 2

On page 2, at the end of line 7, delete "and"

AMENDMENT NO. 3

On page 2, at the beginning of line 8, after "2241" insert a comma ", " and insert "and 2273"

AMENDMENT NO. 4

On page 11, between lines 2 and 3 insert the following:

§2273. Corporate trustees

~~Any trust company or trust bank created by the laws of this state, as well as any national bank having its principal office in this state, A federally insured depository institution organized under the laws of Louisiana, another state, or of the United States, or a financial institution or trust company authorized to exercise trust or fiduciary powers under the laws of Louisiana or of the United States, may accept, hold, and administer the donation and exercise all the powers conferred by this Part."~~

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Cain | Holden | Michot |
| Chaisson | Hollis | Mount |
| Cravins | Hoyt | Romero |
| Dardenne | Johnson | Schedler |
| Dean | Jones, B | Smith |
| Dupre | Jones, CD | Tarver |
| Ellington | Lambert | Theunissen |
| Fontenot | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|-------|
| Mr. President | Boissiere | Irons |
| Bean | Fields | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 260—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 33:130.202(A)(3),(4),(5),(6), and (7), and (G), and 130.210(A)(1) and to repeal R.S. 33:130.202(A)(8), 130.210(A)(3), and 130.211, relative to parish development boards; to provide for revisions to the LaSalle Economic Development District; to provide for changes among the district's commissioners; to establish a quorum, to remove restrictions upon the district's authority; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 340—

BY SENATOR IRONS

AN ACT

To enact R.S. 47:303(B)(3)(b)(v), relative to political subdivisions entering into sales and use tax collection agreements; provides that political subdivisions entering into such agreements shall provide the vehicle commissioner with certain information; provides that such information shall be used in connection with the collection of the political subdivision's sales and use taxes; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 340 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:551(D)(3)(b) and to"

AMENDMENT NO. 2

On page 1, line 7, after the semicolon ";" and before "and" insert "to provide for the distribution of the automobile rental tax in Jefferson Parish;"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." and before "R.S. 47:303(B)(3)(b)(v)" insert "R.S. 47:551(D)(3)(b) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 2, after line 10, insert the following:

"§551. Imposition of tax
* * *
D. * * *

(3) The local tax as provided in Subsection A of this Section which is collected in Jefferson Parish shall be distributed as follows:

(b) Two-thirds of the tax shall be distributed to the Jefferson Performing Arts Society for programs on the east and west bank and one-third of that amount shall be distributed to the Westwego Performing Arts Center.
* * *

Senator Irons moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Cain | Holden | Michot |
| Chaisson | Hoyt | Mount |
| Cravins | Irons | Romero |
| Dardenne | Johnson | Schedler |
| Dean | Jones, B | Smith |
| Dupre | Jones, CD | Tarver |
| Ellington | Lambert | Theunissen |
| Fontenot | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

Mr. President
Bean

Boissiere
Fields

Hollis
Ullo

Total—6

The Chair declared the amendments proposed by the House were rejected. Senator Irons moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 346—

BY SENATORS DARDENNE, SCHEDLER, CAIN, BARHAM, BOISSIERE, CRAVINS, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 15:603(8), (9), (10), and (11), and 609(A), (B), and (C) and Code of Criminal Procedure Art. 572 and to enact R.S. 15:603(12) and (13) and 609(F), (G), (H), and (I), relative to DNA detection of sexual and violent offenders; to provide relative to the collection of DNA samples from certain offenders; to provide for definitions; to add certain offenses to crimes requiring the collection of such samples; to provide relative to juvenile offenders; to require DNA samples collection of such offenders under certain conditions; to require DNA sample collection after interstate transfer of offenders under certain conditions; to prohibit the invalidation of a database match under certain circumstances; to provide relative to the limitation of the prosecution of noncapital offenses; to provide for exceptions to such limitations; to require retroactivity of such exceptions; to authorize the use of force under certain circumstances; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Re-reengrossed Senate Bill No. 346 by Senator Dardenne

AMENDMENT NO. 1

On page 1, delete line 4, and insert "609(F), (G), (H), and (I) and to repeal R.S. 15:615 and 619, relative to DNA"

AMENDMENT NO. 2

On page 1, line 15, after "circumstances;" and before "and" insert "to repeal provisions with respect to the mandatory charge to be imposed on certain persons; to repeal provisions with respect to the DNA Detection Fund;"

AMENDMENT NO. 3

On page 2, line 4, change "R.S. 15:603(12) and (13) and " to "R.S."

AMENDMENT NO. 4

On page 2, delete lines 15 through 19 in their entirety

AMENDMENT NO. 5

On page 2, at the beginning of line 20, change "(12)" to "(10)"

AMENDMENT NO. 6

On page 2, delete lines 22 through 26 in their entirety and insert in lieu thereof the following:

- (a) A violation of R.S. ~~14:30 through 32.7~~ 14.34.2 through 34.5.
(b) A violation of R.S. ~~14:34 through 38.2~~ 14.35 through 37.
(c) A violation of R.S. ~~14:40.1 through 40.2~~ 14.37.3.
(d) A violation of R.S. ~~14:44 through 45~~ 14.38.
(e) A violation of R.S. 14.38.2.

(f) A violation of R.S. 14.40.2.

(g) A violation of R.S. 14.80.1.

(h) A violation of R.S. 14.82.

(i) A violation of R.S. 14.83 through 83.1.

(j) A violation of R.S. 14.83.3 through 83.4.

(k) A violation of R.S. 14.85 through 85.1."

AMENDMENT NO. 7

On page 3, at the beginning of line 1, change "(13)" to "(11)"

AMENDMENT NO. 8

On page 3, line 5, after "for a felony" delete the comma and the words "a felony sex" and at the beginning of line 6, delete "offense"

AMENDMENT NO. 9

On page 3, line 15, after "for a felony" and before "or" delete the comma and the words "a felony sex offense"

AMENDMENT NO. 10

On page 3, line 19, after "a felony" and before "or" delete the comma and the words "a felony sex offense"

AMENDMENT NO. 11

On page 4, line 17, after "a felony" and before "or" delete the comma and the words "a felony sex offense"

AMENDMENT NO. 12

On page 4, line 19, after "for a felony" delete the comma and the words "a felony sex offense"

AMENDMENT NO. 13

On page 5, line 3, after "of a felony" and before "or" delete the comma and the words "a felony sex offense"

AMENDMENT NO. 14

On page 5, line 11, after "of a felony" delete the comma "," and the words "a felony sex" and at the beginning of line 12 delete "offense,"

AMENDMENT NO. 15

On page 6, at the end of line 23, delete "at" and delete lines 24 through 26 in their entirety and on page 7 delete lines 1 through 6 in their entirety and insert in lieu thereof "beyond the time limitations set forth in this Title if the identity of the offender is established after the expiration of such time limitation through the use of a DNA profile."

AMENDMENT NO. 16

On page 7, between lines 16 and 17, add the following:

"Section 3. R.S. 15:615 and 619 are hereby repealed in their entirety.

Section 4. If any provision or item of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Act which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this Act are hereby declared severable."

AMENDMENT NO. 17

On page 7, at the beginning of line 17, change "Section 3." to "Section 5."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Re-reengrossed Senate Bill No. 346 by Senator Dardenne

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 5 and 6 proposed by the House Committee on Administration of Criminal Justice, and adopted by the House of Representatives on May 12, 2003.

AMENDMENT NO. 2

On page 1, line 5, after "of" and before "offenders;" change "sexual and violent" to "criminal"

AMENDMENT NO. 3

On page 2, delete lines 20 through 26 in their entirety and insert in lieu thereof the following:

"(12) "Misdemeanor" means any offense other than a felony."

AMENDMENT NO. 4

On page 3, line 6, after "or" and before "offense" change "other specified" to "misdemeanor"

AMENDMENT NO. 5

On page 3, line 15, after "or" change "other specified" to "misdemeanor"

AMENDMENT NO. 6

On page 3, line 19, after "or" and before "offense" change "other specified" to "misdemeanor"

AMENDMENT NO. 7

On page 4, line 17, after "or" and before "offense" change "other specified" to "misdemeanor"

AMENDMENT NO. 8

On page 4, line 20, after "or" and before "offense" change "other specified" to "misdemeanor"

AMENDMENT NO. 9

On page 5, line 3, after "or" and before the comma change "other specified crime" to "misdemeanor offense"

AMENDMENT NO. 10

On page 5, line 12, after "or" and before the comma "change "other specified crime" to "misdemeanor offense"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Re-reengrossed Senate Bill No. 346 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 15, after the semicolon ";," and before "and to" insert: "to provide for the effectiveness of certain provisions;"

AMENDMENT NO. 2

On page 7, between lines 16 and 17, insert:

"Section 3. The provisions of this Act shall not be implemented as to arrests for a felony, felony sex offense or other specified offense as provided in R.S. 15:609(A) if such arrest occurs after the effective date of this Act until, and only to the extent that funding is available to implement the drawing or taking of DNA samples for such arrestees"

AMENDMENT NO. 3

On page 7, at the beginning of line 17, change "Section 3." to "Section 4."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Re-reengrossed Senate Bill No. 346 by Senator Dardenne

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Downer and adopted by the House on June 10, 2003.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Re-reengrossed Senate Bill No. 346 by Senator Dardenne

AMENDMENT NO. 1

In House Floor Amendment No. 2 proposed by Representative LeBlanc and adopted by the House on June 10, 2003, on page 1, lines 7 and 8 change "a felony, felony sex offense or other specified offense as provided in" to "any offense for which DNA testing is required by"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Welch to Reengrossed Senate Bill No. 346 by Senator Dardenne

AMENDMENT NO. 1

On page 2, after line 26, add the following:

"(f) A violation of R.S. 14:284."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 413—

BY SENATORS SMITH AND DUPRE
AN ACT

To enact R.S. 33:381.2, relative to municipal officers; to provide that municipalities with a population of two thousand five hundred or less may appoint or elect the marshal who is the chief of police; to provide the procedure for appointment or election; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed Senate Bill No. 413 by Senators Smith and Dupre

AMENDMENT NO. 1

On page 1, line 3, after "of" delete "two thousand five hundred" and insert in lieu thereof "five thousand"

AMENDMENT NO. 2

On page 1, line 9, delete "two" and on line 10, change "thousand five hundred" to "five thousand"

AMENDMENT NO. 3

On page 1, line 13, change "two" to "five" and on line 14, delete "five hundred"

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 457—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 13:2586(D) and to enact R.S. 13:2586(C)(4) and 2587.2, relative to jurisdiction for justice of the peace courts; to authorize justice of the peace courts to have jurisdiction over certain objects that have been removed, abandoned or disposed of; to provide for appellate procedure for such actions; to provide for fines and penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 457 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 4, after "objects" and before "that" insert a comma "," and add "of a value not to exceed the civil jurisdictional limits of the justice of the peace court."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 457 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete line 14

AMENDMENT NO. 2

On page 2, delete line 14

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 458—

BY SENATOR DUPRE

AN ACT

To enact R.S. 9:5167.2, relative to the cancellation of mortgages; to require the mortgagee to cancel the mortgage inscription; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 458 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 3, after "to" and before "the" change "cancel" to "instruct the mortgagor regarding the cancellation of"

AMENDMENT NO. 2

On page 1, at the end of line 7, delete "by mortgagee"

AMENDMENT NO. 3

On page 1, line 11, after the comma "," delete the remainder of the line and delete lines 12 through 15 in their entirety and insert the following: "and instructions regarding the cancellation of mortgage inscriptions to the mortgagor or the mortgagor's designated agent"

within sixty days after the date of receipt of full payment of the balance owed on the debt secured by the mortgage in accordance with a payoff statement. The payoff statement shall be furnished by the mortgagee or its mortgage servicer."

AMENDMENT NO. 4

On page 2, delete lines 1 through 15 in their entirety

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Malone |
| Bajoie | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Cain | Hollis | Michot |
| Chaisson | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Boissiere | Fields |
| Bean | Cravins | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

HOUSE BILL NO. 497—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 48:460.1, relative to expropriation of property for highway systems; to provide for the presumption of abandonment of expropriated property; to provide for the reacquisition of expropriated property; to provide for the payment of costs; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 497 by Senator Hollis

AMENDMENT NO. 1

On page 3, line 10, following "by" and before "International" insert "the"

Senator Hollis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Malone |
| Bajoie | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Cain | Hollis | Michot |
| Chaisson | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Boissiere | Fields |
| Bean | Cravins | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 637—

BY SENATOR HEITMEIER

AN ACT

To repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to repeal the requirement of certain notification to the owners of property; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 637 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, delete lines 8 and 9 in their entirety

AMENDMENT NO. 2

On page 1, at the beginning of line 10, change "Section 3." to "Section 2."

Senator Heitmeier moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |

June 11, 2003

| | | |
|-----------|-----------|------------|
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 748—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 40:2010.8(D)(1) and 2010.9(A) and (B) and to enact R.S. 40:2010.9(C), relative to nursing homes and health care facilities; to provide for a resident's personal right of action; to provide that a resident may assert a cause of action for injunctive relief; to provide that attorney fees cannot be recovered in a tort or contract action; to provide for a prescription period to bring such actions; to provide a peremptive period; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 748 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, after "resident's" and before "right" delete "personal"

AMENDMENT NO. 2

On page 1, delete lines 5 through 8 in their entirety and insert the following:

"for injunctive relief; to provide for prescriptive and peremptive periods; and to provide for related matters"

AMENDMENT NO. 3

On page 2, at the beginning of line 3, delete "and personal"

AMENDMENT NO. 4

On page 2, at the end of line 12, change "The" to "The"

AMENDMENT NO. 5

On page 2, delete line 13 in its entirety and at the beginning of line 14, delete "resident, but the"

AMENDMENT NO. 6

On page 2, line 23, after the period "." delete the remainder of the line and delete lines 24 through 26 in their entirety

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Heitmeier | Marionneaux |
| Adley | Hines | McPherson |
| Bajoie | Holden | Michot |
| Barham | Hollis | Mount |
| Cain | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Cravins | Johnson | Smith |
| Dardenne | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|--------|------|
| Bean | Dean | Ullo |
| Boissiere | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 771—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1127(C)(2), relative to workers' compensation; to provide with respect to medical examinations; to require any party scheduling a conference to bear the responsibility of paying any fees charged; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 773—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 32:398(K)(1), relative to accident reports; to provide for fees charged for providing copies of accident reports; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 833—
BY SENATORS HOLDEN (BY REQUEST) AND HAINKEL
AN ACT

To enact R.S. 17:421.9, relative to school psychologists; to provide a salary supplement for certain public school psychologists that have acquired certification by the National School Psychology Certification Board; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide for limitations; to provide for implementation only to the extent funds are appropriated; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

June 11, 2003

Amendments proposed by Representative Salter to Engrossed Senate Bill No. 833 by Senator Holden

AMENDMENT NO. 1

On page 1, line 3, after "psychologists" and before "have" change "that" to "who"

AMENDMENT NO. 2

On page 2, line 1, after "the" delete "State Board" and on line 2, delete "of Elementary and Secondary" and insert "state Department of"

AMENDMENT NO. 3

On page 2, line 8, after "salary," delete the remainder of the line and delete lines 9 through 11 in their entirety

AMENDMENT NO. 4

On page 3, line 6, after "Board," and before "exceed" change "is a period which shall not" to "which is a period not to"

AMENDMENT NO. 5

On page 4, after line 2, insert the following:

"G. In addition to any other requirements of this Section, to receive the salary adjustment provided by this Section, an otherwise eligible person shall be awarded the initial certificate issued by the National School Psychology Certification Board prior to July 1, 2006. This Subsection is enacted to determine if the salary adjustment will attract and retain full-time school psychologists who hold a valid ancillary certificate approved and issued by the state Department of Education."

Senator Holden moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adeley | Gautreaux | Marionneaux |
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Cain | Holden | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Johnson | Schedler |
| Dardenne | Jones, B | Smith |
| Dean | Jones, CD | Tarver |
| Dupre | Lambert | Theunissen |
| Ellington | Lentini | Thomas |
| Fontenot | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|--------|------|
| Mr. President | Fields | Ullo |
| Bean | Hoyt | |
| Boissiere | Irons | |
| Total—7 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Holden moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 846—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Columbia; to provide for the creation of a downtown development district; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 846 by Senator Ellington

AMENDMENT NO. 1

On page 1, delete lines 8 through 12 in their entirety and insert the following:

"§2740.55. Columbia; downtown development district
The Columbia Downtown Historical District as created and provided for by ordinance 93-4, adopted May 11, 1993, and any amendment thereto, shall be deemed to be and shall be recognized as a downtown development district."

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adeley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Irons | Romero |
| Cravins | Johnson | Schedler |
| Dardenne | Jones, B | Smith |
| Dean | Jones, CD | Tarver |
| Dupre | Lambert | Theunissen |
| Fontenot | Lentini | Thomas |
| Gautreaux | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Ellington | Ullo |
| Bean | Fields | |
| Boissiere | Hoyt | |
| Total—7 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 849—

BY SENATOR ELLINGTON

AN ACT

To enact Subpart F of Part III of Chapter 4 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2341 through 2345; relative to police; to provide for a management institute; to provide for a board; to provide for duties; to provide for management; to provide for training; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 849 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 14, after "compensation" insert a period "." and delete the remainder of the line and delete line 15 in its entirety

AMENDMENT NO. 2

On page 5, between lines 13 and 14, insert the following:

"E. The provisions of this Section shall not apply to any chief of police who has continuous service from January 1, 1983."

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 940—

BY SENATOR C. JONES

AN ACT

To enact R.S. 23:1514(F), relative to unemployment compensation; to provide with respect to worker training funds; to provide for customized training for all employees; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 940 by Senator C. Jones

AMENDMENT NO. 1

On page 1, at the end of line 14, add the following: "Such training shall be suited to the needs of the employees of the business or industry and may exceed Occupational Safety and Health Administration standards but must meet the minimum standards where applicable."

Senator C. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Lentini |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Cain | Holden | Michot |
| Chaisson | Hollis | Mount |
| Cravins | Hoyt | Romero |
| Dardenne | Irons | Schedler |
| Dean | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, CD | Theunissen |
| Fontenot | Lambert | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Boissiere | Malone |
| Bean | Fields | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator C. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 968—

BY SENATOR B. JONES

AN ACT

To enact R.S. 46:153(H), relative to Medicaid assistance and estate recovery; to provide for retention of the Department of Health and Hospitals assignment of rights; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Engrossed Senate Bill No. 968 by Senator B. Jones

AMENDMENT NO. 1

On page 1, after line 15, insert the following:

"Section 2. The policy change relative to the treatment of annuities for purposes of Medicaid eligibility proposed in an emergency rule promulgated by the Department of Health and Hospitals, published in the Louisiana Register on April 20, 2003, and effective on May 2, 2003, shall not apply to the first \$100,000 of an annuity issued before May 2, 2003."

Senator B. Jones moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were rejected. Senator B. Jones moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1016—

BY SENATOR DUPRE AND REPRESENTATIVES DARTEZ AND DOWNER

AN ACT

To enact R.S. 13:1910.1, relative to city court judicial building funds; to authorize a service charge to be collected by the City Court of Houma and the Terrebonne Parish Consolidated Government; to provide for exclusive dedication of all monies collected; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 1016 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 15, delete "of a resolution or" and insert "an"

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Malone |
| Bajoie | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Cain | Hollis | Michot |
| Chaisson | Hoyt | Mount |
| Cravins | Irons | Romero |
| Dardenne | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |

Fontenot
Gautreaux
Total—33

Lambert
Lentini

Theunissen
Thomas

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Boissiere | Fields |
| Bean | Dean | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1019—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 27:317, relative to the Louisiana Gaming Control Law; to provide with respect to the Video Draw Poker Devices Control Law; to provide with respect to residence and domicile requirements for certain licensees; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1019 by Senator C. Jones

AMENDMENT NO. 1

On page 1, lines 2 and 7, following "27:317" insert "(A) and (C)"

AMENDMENT NO. 2

On page 1, line 7, before "hereby" change "is" to "are"

Senator C. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Cain | Holden | Michot |
| Chaisson | Hollis | Mount |
| Cravins | Hoyt | Romero |
| Dardenne | Irons | Schedler |
| Dean | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, CD | Theunissen |
| Fontenot | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|---------|
| Mr. President | Boissiere | Lambert |
| Bean | Fields | Ullo |
| Total—6 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator C. Jones moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1079—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 6:101(B)(1), relative to the commissioner of the office of financial institutions; to provide for qualifications; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 1079 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 6:101(B)(1)," to "R.S. 6:101(B)(1) and (4),"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." change "R.S. 6:101(B)(1) is" to "R.S. 6:101(B)(1) and (4) are"

AMENDMENT NO. 3

On page 2, after line 3, insert the following:

"(4) An officer of an institution regulated by the Office of Financial Institutions or shall be a person who possesses at least fifteen years of active experience as a state or federal financial institutions regulator. The commissioner shall have been active in such major policymaking function and actively employed by the state or federal financial institutions regulatory authority within the previous five years of the appointment.

* * *

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adeley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 91—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To create and provide for the Task Force on Louisiana Rural Internet Access to study and make recommendations with respect to solving problems of high-speed Internet access in Louisiana's rural communities.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to Original Senate Concurrent Resolution No. 91 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, between "the" and "Louisiana" insert "Task Force on" and delete "Commission"

AMENDMENT NO. 2

On page 1, delete line 4 and insert in lieu thereof "of high speed Internet access in"

AMENDMENT NO. 3

On page 1, delete lines 9, 10, and 11, and insert in lieu thereof the following:

"WHEREAS, high-speed Internet access is a key competitive factor for economic development and quality of life in the new economy for the global marketplace; and"

AMENDMENT NO. 4

On page 1, line 12, delete "cost-effective" and at the end of the line insert "becoming"

AMENDMENT NO. 5

On page 1, delete lines 15 and 16

AMENDMENT NO. 6

On page 2, delete lines 1 through 12 and insert in lieu thereof the following:

"THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby creates the Task Force on Louisiana Rural Internet Access to identify the availability of Internet access in Louisiana's rural communities and to study issues and make recommendations related to solving any problems encountered with providing reliable Internet access to Louisiana's rural communities.

BE IT FURTHER RESOLVED that the Task Force on Louisiana Rural Internet Access is created by the Louisiana Legislature and shall be composed of the following members:"

AMENDMENT NO. 7

On page 2, line 13, change "commission" to "task force"

AMENDMENT NO. 8

On page 2, delete lines 18 and 19

AMENDMENT NO. 9

On page 2, line 20, change "(d)" to "(c)"

AMENDMENT NO. 10

On page 2, line 21, change "(e)" to "(d)"

AMENDMENT NO. 11

On page 2, between lines 21 and 22, insert the following:

"(e) One member appointed by the Louisiana Public Service Commission."

AMENDMENT NO. 12

On page 3, delete lines 3 and 4

AMENDMENT NO. 13

On page 3, line 5, change "(e)" to "(d)"

AMENDMENT NO. 14

On page 3, line 7, change "(f)" to "(e)"

AMENDMENT NO. 15

On page 3, line 9, change "(g)" to "(f)"

AMENDMENT NO. 16

On page 3, line 11, change "(h)" to "(g)"

AMENDMENT NO. 17

On page 3, line 13, change "(i)" to "(h)"

AMENDMENT NO. 18

On page 3, line 16, change "(j)" to "(i)"

AMENDMENT NO. 19

On page 3, delete lines 18 through 27 and insert in lieu thereof the following:

"(j) One member appointed by the International Electrical and Electronic Engineering Society."

AMENDMENT NO. 20

On page 4, delete lines 1, 2, and 3

AMENDMENT NO. 21

On page 4, line 5, change "commission" to "task force" and change "members" to "legislators"

AMENDMENT NO. 22

On page 4, line 6, delete "of the commission", after "The" delete the remainder of the line and insert "task force may then elect"

AMENDMENT NO. 23

On page 4, line 7, delete "chairman and"

AMENDMENT NO. 24

On page 4, delete lines 8 through 11

AMENDMENT NO. 25

On page 4, line 12, change "commission" to "task force"

AMENDMENT NO. 26

On page 4, line 14, after "members." delete the remainder of the line and delete line 15

AMENDMENT NO. 27

On page 4, line 17, change "commission" to "task force"

AMENDMENT NO. 28

On page 4, line 20, after immediately after "compensation" add a period "." and delete the remainder of the line and delete lines 21 through 27 in their entirety and insert in lieu thereof the following:

"BE IT FURTHER RESOLVED that the task force shall submit to the House Committee on Commerce, the Senate Committee on Commerce, Consumer Protection and International Affairs, the

governor, and the Louisiana Economic Development Corporation a report summarizing the findings of the task force prior to the convening of the next Regular Session, together with any proposals for recommended legislation to facilitate and further the goals of providing rural Internet access."

AMENDMENT NO. 29

Delete pages 5 through 8 in their entirety and on page 9, delete line 1 in its entirety.

On motion of Senator Smith, the committee amendment was adopted.

The resolution was read by title. Senator Ellington moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Cain | Holden | Michot |
| Chaisson | Hollis | Mount |
| Cravins | Hoyt | Romero |
| Dardenne | Irons | Schedler |
| Dean | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, CD | Theunissen |
| Fontenot | Lambert | Thomas |
| Gautreaux | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bajoie | Fields | |
| Bean | Lentini | |
| Total—7 | | |

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of advancing to the order of

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 809—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 33:120.8, relative to the Calcasieu Parish Planning and Zoning Board; to increase the maximum per diem authorized to be paid to such members for attending board meetings and to reduce the number of board meetings for which per diem may be paid; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Cain | Hollis | Michot |
| Chaisson | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Heitmeier | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bajoie | Cravins | |
| Bean | Fields | |
| Total—7 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 824—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 23:102(E), relative to employment agencies; to exempt employer-fee-paid employment services from current provisions on private employment services; to exempt employer-fee-paid employment services from testing, licensing, and bonding requirements; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Cain | Hollis | Michot |
| Chaisson | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Heitmeier | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bajoie | Cravins | |
| Bean | Fields | |
| Total—7 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 852—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 25:1222(A) and 1223(A)(1), relative to the Atchafalaya Trace Commission and the Atchafalaya Trace Heritage Area; to include Ascension Parish within the boundaries of the trace area; to increase the membership of the commission; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Malone |
| Barham | Hines | Marionneaux |
| Cain | Holden | McPherson |
| Chaisson | Hollis | Michot |
| Cravins | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Bean | Fields |
| Bajoie | Boissiere | Ullo |
| Total—6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 923—

BY REPRESENTATIVES HUNTER, WALSWORTH, AND KATZ

AN ACT

To enact R.S. 33:4561.1, relative to naming a civic center theater; to authorize the governing authority in certain municipalities to name a civic center theater in honor of a former living mayor of the municipality; to provide limitations; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------|-----------|--------|
| Adley | Heitmeier | Malone |
|-------|-----------|--------|

| | | |
|-----------|-----------|-------------|
| Bajoie | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Cain | Hollis | Michot |
| Chaisson | Hoyt | Mount |
| Dardenne | Irons | Romero |
| Dean | Johnson | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Jones, CD | Tarver |
| Fontenot | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|--------|
| Mr. President | Boissiere | Fields |
| Bean | Cravins | Ullo |
| Total—6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 972—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a), relative to drivers' licenses; to authorize the operator of a motor vehicle to drive without a driver's license under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|------|
| Mr. President | Boissiere | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1090—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 33:1236.27, relative to St. Helena Parish; to authorize the governing authority of the parish to enter into a cooperative endeavor with the St. Helena Parish Hospital Service District Number One for the public purpose of providing health care; to authorize the parish governing authority to provide financial support out of general funds of the parish or other available funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1090 by Representative R. Carter

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 1, 2003, on page 1, delete line 3 in its entirety and insert in lieu thereof the following:

"and reenact R.S. 33:1236(32) and 2011(B) and to" and change "St. Helena Parish" to "municipalities and parishes; to provide for the"

AMENDMENT NO. 2

On Page 1, line 7 after "funds;" insert: "to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter;"

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 1, 2003, on page 1, line 11 delete "is" and insert in lieu thereof "and 2011(B) are" between lines 25 and 26 insert the following:

"§2011.Development of cancer during employment in fire service; occupational disease

* * *

B. The disabling cancer referred to in Subsection A shall be limited to the type of cancers which may be caused by exposure to heat, smoke, radiation, or a known or suspected carcinogen as defined by the International Agency for Research on Cancer. The disabling cancer shall be limited to a cancer originating in the bladder, brain, colon, liver, pancreas, skin, or gastrointestinal tract, **kidney, lymphoma, multiple myeloma,** and leukemia.

* * *

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Thomas moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |

June 11, 2003

| | | |
|-----------|-----------|------------|
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1096—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 1096 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 13, after "conservation" change "pertaining to" to "contained in"

AMENDMENT NO. 2

On page 1, line 14, change "undertaken in prevention of" to "developed to prevent"

AMENDMENT NO. 3

On page 1, line 15, after "including" delete "but not limited to"

On motion of Senator Malone, the amendments were adopted.

The bill was read by title. Senator Malone moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1124—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 38:3087.114(A) and (B), relative to the Black River Lake Recreation and Water Conservation District; to increase the membership of the board of commissioners; to provide for terms; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1127—
BY REPRESENTATIVE LANDRIEU
AN ACT

To enact R.S. 33:9091.6, to create the Upper Hurstville Security District in the parish of Orleans; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

June 11, 2003

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Boissiere | Hollis | Mount |
| Cain | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Cravins | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|----------|------|
| Mr. President | Dardenne | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1133—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:433(F), relative to oysters; to provide for a minimum size applicable throughout the year; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Marionneaux |
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Boissiere | Holden | Mount |
| Cain | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, CD | Theunissen |
| Dupre | Lambert | Thomas |
| Ellington | Lentini | |
| Fontenot | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|----------|------|
| Mr. President | Fields | Ullo |
| Bean | Jones, B | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:432 and to enact R.S. 56:427(E), relative to oyster leases; to provide for limits on the number of acres which can be leased by one person and the maximum number of acres for which application may be made; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1156—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:430.1(A), relative to oyster production; to remove the requirement for the leaseholder to submit certain information to the Department of Wildlife and Fisheries; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |

June 11, 2003

Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—35

Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Schedler
Smith
Tarver
Theunissen
Thomas

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Ullo

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1167—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:424(G), relative to the harvest of oysters; to require a vessel monitoring system to be used by any person who obtains from the Department of Wildlife and Fisheries a permit to land oysters outside the state; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dupre
Ellington
Fontenot
Gautreaux
Total—33

Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas

NAYS

Dean
Total—1

ABSENT

Mr. President
Bean
Total—5

Dardenne
Fields

Ullo

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 56:106, relative to hunting field trials; to provide relative to notice requirements for a nonresident participating in a field trial to be exempt from the requirement for a hunting license; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—35

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Ullo

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1355—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 23:1168(D)(1), relative to workers' compensation; to provide for pro rata payment of outstanding claims; to provide for promulgation of rules by the director; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—33

Gautreaux
Heitmeier
Hines
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas

NAYS

Total—0

ABSENT

Mr. President
Adley

Bean
Fields

Holden
Ullo

Total—6

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1468—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 56:6(30), relative to nonhuman primates; to provide that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of nonhuman primates; to provide for issuance of certain permits; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1468 by Representative Schwegmann

AMENDMENT NO. 1

On page 1, line 13, delete "reptiles" and insert in lieu thereof "constrictors or venomous snakes"

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Hines moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Malone |
| Bajoie | Hines | Marionneaux |
| Barham | Holden | McPherson |
| Boissiere | Hollis | Michot |
| Cain | Hoyt | Mount |
| Chaisson | Irons | Romero |
| Cravins | Johnson | Schedler |
| Dardenne | Jones, B | Smith |
| Dupre | Jones, CD | Tarver |
| Ellington | Lambert | Theunissen |
| Gautreaux | Lentini | Thomas |
| Total—33 | | |

NAYS

| | |
|---------|----------|
| Dean | Fontenot |
| Total—2 | |

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1496—
BY REPRESENTATIVES DOWNER, ARNOLD, CURTIS, DIEZ, ERDEY, FUTRELL, HUTTER, ILES, KENNARD, POWELL, QUEZAIRE, SHAW, AND TUCKER

AN ACT

To amend and reenact R.S. 44:4.1(B)(19) and to enact Subpart E of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.21, relative to port commissions, districts, and authorities; to require port commissions, districts, and authorities to implement a port security and safety plan for maritime facilities and vessels; to require said commissions, districts, and authorities to enter into cooperative endeavor agreements with certain federal, state, local, and other governmental agencies for implementation of such plan; to provide that security and safety plans be exempted from public records law; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Boissiere | Hollis | Mount |
| Cain | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Cravins | Johnson | Smith |
| Dardenne | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Gautreaux | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|--------|------|
| Mr. President | Dean | Ullo |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1643—
BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 23:151, 182, 183, 188, and 215 and to repeal R.S. 23:189, relative to the employment of minors; to repeal certain exemptions from application of current statutory provisions; to delete references to work permits; to require electronic filing of applications for employment certificates; to repeal the requirement for a duplicate filing with the secretary; to adjust work hours during which minors can work; to repeal the requirement for different colored certificates issued based upon age of the applicant; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |

| | | |
|-----------|-----------|------------|
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dupre | Jones, CD | Tarver |
| Ellington | Lambert | Theunissen |
| Fontenot | Lentini | Thomas |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|--------|----------|
| Mr. President | Dean | Jones, B |
| Bean | Fields | Ullo |
| Total—6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1644—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To enact R.S. 23:1541.1, relative to unemployment compensation; to provide for an appellate procedure for chargeability determinations; to provide for the issuance of a determination of chargeability; to provide for notice of determination; to provide for review by the administrator; to provide for judicial review; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | |
| Fontenot | Lentini | |
| Total—34 | | |

NAYS

Thomas
Total—1

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1645—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1541(5)(a), relative to unemployment compensation; to repeal the limit on employer contributions to a portion of benefits charged; to authorize payment of contributions in any amount to an employer's experience-rating account; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lambert | |
| Fontenot | Lentini | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|--------|------|
| Mr. President | Fields | Ullo |
| Bean | Tarver | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1646—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1634(A), relative to unemployment compensation judicial review; to provide a venue for appeals for out- of-state unemployment compensation claimants; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |

Ellington
Fontenot
Total—35

Lambert
Lentini

Thomas

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Ullo

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1647—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1539(A), relative to unemployment contributions; to clarify that employees shall be considered assets of a business when determining if an acquisition has occurred; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Ullo

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1648—

BY REPRESENTATIVES GUILLORY AND MURRAY
AN ACT

To amend and reenact R.S. 23:1669(C), relative to unemployment compensation; to provide that a flat contingency fee be paid to collection attorneys; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Ullo

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1671—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 38:226, relative to permits for levee crossings; to require the executive or administrative officer of the board or commission of a levee district to issue permits or letters of no objection to levee crossings when the crossing is approved by the United States Army Corps of Engineers and the Department of Transportation and Development, office of public works; to require the executive or administrative officer of the board or commission to enforce such permits for levee crossings relative to certain conditions and stipulations; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lambert | |
| Fontenot | Lentini | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|----------|------|
| Mr. President | Fields | Ullo |
| Bean | Schedler | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1686—

BY REPRESENTATIVES DEWITT, CRANE, FUTRELL, KATZ, PITRE, SHAW, TUCKER, DOWNER, AND MCDONALD
AN ACT

To enact R.S. 17:416.1(D) and R.S. 32:407(E) and 431, relative to drivers' licenses and learners' licenses; to prohibit issuance of a license for one year to a student who is expelled or suspended from school for ten or more consecutive school days for committing certain infractions or who withdraws from school under certain circumstances; to require notification to the office of motor vehicles when a student is expelled or suspended from school or withdraws from school under certain circumstances; to provide for suspension of a driver's license; to require notification of such suspension; to allow reinstatement of driving privileges under certain circumstances; to provide for an appeal process; to provide for hardship; to prohibit an increase in insurance rates due to such license suspension; to provide for the promulgation of rules; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1686 by Representative DeWitt

AMENDMENT NO. 1

In Senate Committee Amendment No. 8, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2003:

On page 2, line 2, change "operator's" to "driver's"

On page 2, line 4, change "licensee" to "student"

AMENDMENT NO. 2

On page 1, line 3, change "prohibit issuance" to "provide for issuance and immediate suspension"

AMENDMENT NO. 3

On page 3, line 3, delete "denied or"

AMENDMENT NO. 4

On page 3, line 16, after "eighteen" delete the remainder of the line, and delete line 17, and insert: "may be granted such a license if he is otherwise qualified, but such license shall be immediately suspended if the minor is subject to the suspension provided for in R.S. 32:431. The license shall be suspended for the time period provided for in that Section, but the minor may apply for a hardship license pursuant to that Section."

AMENDMENT NO. 5

On page 3, line 20, delete "denial or"

AMENDMENT NO. 6

On page 4, line 17, delete "(1)"

AMENDMENT NO. 7

On page 4, line 18, after "upon" insert "receipt of"

AMENDMENT NO. 8

On page 4, line 20, after "shall" delete the remainder of the line, and delete lines 21 through 23, and on line 24, delete "this Section," and insert: "take the following action with respect to the student if he is an unemancipated minor between fifteen years of age and eighteen years of age:"

(a) If the student has a driver's license, the department shall suspend the driver's license for a period of one year beginning as provided for in Subsection C of this Section.

(b) If the student has not obtained a driver's license, or if he applies for a different driver's license, any license which he obtains during the period of one year beginning as provided for in Subsection C of this Section shall be immediately suspended for the duration of such one-year period.

(b)"

AMENDMENT NO. 9

On page 4, line 26, change "licensee's" to "student's"

AMENDMENT NO. 10

On page 5, line 2, change "licensee" to "student"

AMENDMENT NO. 11

On page 5, line 3, change "licensee's" to "student's"

AMENDMENT NO. 12

On page 5, delete lines 4 through 8

AMENDMENT NO. 13

On page 5, line 9, after "(1)" insert "(a)"

AMENDMENT NO. 14

On page 5, line 10, after "notice" insert "of the following"

AMENDMENT NO. 15

On page 5, line 11, change "licensee" to "student"

AMENDMENT NO. 16

On page 5, line 12, change "licensee's" to "student's"

AMENDMENT NO. 17

On page 5, line 13, after "parent" insert a colon ":" and change "that his license" to the following:

"(i) That any license he holds"

AMENDMENT NO. 18

On page 5, line 16, after "suspension" insert:

"(ii) That if he does not hold a license, any license he may obtain during one year from the thirtieth day of the date the notice was mailed shall be immediately suspended for the remainder of such year."

(b)"

AMENDMENT NO. 19

On page 5, line 18, change "licensee's" to "student's"

AMENDMENT NO. 20

On page 5, line 19, after "hearing" insert "or a hardship license" and change "Subsection F" to "Subsections D and F"

AMENDMENT NO. 21

On page 6, at the end of line 10, insert: "Such driving privileges shall not exceed those granted by the license that was suspended."

AMENDMENT NO. 22

On page 6, line 11, delete "denied or" and at the end of the line insert "to"

AMENDMENT NO. 23

On page 6, line 20, after "Section" delete the remainder of the line and delete lines 21 and 22, and insert "the student may"

AMENDMENT NO. 24

On page 7, line 5, change "licensee" to "student"

AMENDMENT NO. 25

On page 7, line 6, change "licensee or applicant" to "student"

AMENDMENT NO. 26

On page 7, line 10, after "hearing," insert "The license shall not be suspended until completion of the administrative hearing." and change "licensee" to "student"

AMENDMENT NO. 27

On page 7, delete line 13 and 14, and insert: "suspension provided for in this Section."

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lambert | Thomas |
| Fontenot | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|--------|
| Mr. President | Fields |
| Bean | Ullo |
| Total—4 | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1894—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 56:302.9.1(A), relative to charter boat licenses; to provide that such licenses are required only for motorized vessels; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |

| | | |
|-----------|-----------|------------|
| Barham | Hines | McPherson |
| Boissiere | Holden | Michot |
| Cain | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lambert | |
| Fontenot | Lentini | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|--------|------|
| Mr. President | Fields | Ullo |
| Bean | Mount | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1900—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:387(E)(1)(b) and 388(E) and (F)(1) and to enact R.S. 32:387.16, relative to special permits; to provide relative to issuance of special permits and payments for penalties; to provide relative to the disposition of such fees and payments for penalties; to create a special permit for the movement of containerized cargo under certain circumstances; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1905—

BY REPRESENTATIVES CURTIS, ALEXANDER, CROWE, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, JANE SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To enact R.S. 17:81(O), relative to powers and duties of city and parish school boards; to prohibit a school board member from using his authority of office to directly or indirectly compel or coerce personnel decisions or employee decisions; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Marionneaux |
| Adley | Gautreaux | McPherson |
| Bajoie | Heitmeier | Michot |
| Barham | Hines | Mount |
| Boissiere | Holden | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, B | Thomas |
| Dupre | Jones, CD | Ullo |
| Ellington | Malone | |
| Total—35 | | |

NAYS

Total—0

ABSENT

Bean
Fields

Lambert
Lentini

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 196—

BY REPRESENTATIVES ANSARDI, ALARIO, BROOME, BRUCE, BRUNEAU, CAZAYOUX, DAMICO, DIEZ, DURAND, FAUCHEUX, FRITH, GUILLORY, HILL, ILES, L. JACKSON, M. JACKSON, KATZ, LANCASTER, LANDRIEU, MARTINY, McDONALD, MURRAY, ODINET, POWELL, QUEZAIRE, ROMERO, SCHWEGMANN, SHAW, JACK SMITH, SNEED, STRAIN, TOOMY, WALKER, AND WELCH AND SENATORS HAINKEL, HOLDEN, HOLLIS, AND THOMAS

AN ACT

To enact Part VI-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2176 through 2180, relative to alternate health care models; to provide with respect to the licensure of alternate health care models; to provide procedures and fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 196 by Representative Ansardi

AMENDMENT NO. 1

Delete conforming Senate Floor Amendments Nos. 1 through 50 proposed by Senator Irons and adopted by the Senate on June 2, 2003.

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—35

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bean
Cravins

Fields
Lambert

Total—4

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 1017—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation; to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

In Senate Conforming Amendments proposed by Senator Lentini and adopted by the Senate on June 2, 2003, delete Conforming Amendment No. 6

AMENDMENT NO. 2

In Senate Conforming Amendment No. 10 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 1, line 24, after "page 3," change "delete lines 12 and 13" to " at the beginning of line 12, delete "retardation."

AMENDMENT NO. 3

In Senate Conforming Amendment No. 13 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 2, line 6, after "(F)" delete the remainder of the line and delete line 7

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 15, after "B." insert "(1)"

AMENDMENT NO. 2

On page 1, after line 17, insert the following:

"(2) The trial court shall treat such claim procedurally as a pretrial competency hearing and shall address the assessment of mental retardation accordingly."

AMENDMENT NO. 3

On page 4, after line 9, insert the following:

June 11, 2003

"I. In the event the constitutionality of this Act is contested, the cost of such defense shall be borne by the Louisiana District Attorneys' Association."

Senator Holden moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Holden | Marionneaux |
| Boissiere | Irons | Mount |
| Cravins | Johnson | Tarver |
| Gautreaux | Jones, CD | Thomas |
| Total—12 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Ellington | Lentini |
| Adley | Fontenot | Malone |
| Barham | Heitmeier | Michot |
| Cain | Hines | Romero |
| Chaisson | Hollis | Schedler |
| Dardenne | Hoyt | Smith |
| Dean | Jones, B | Theunissen |
| Dupre | Lambert | Ullo |
| Total—24 | | |

ABSENT

| | | |
|---------|--------|-----------|
| Bean | Fields | McPherson |
| Total—3 | | |

The Chair declared the amendments were rejected.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Fontenot | Michot |
| Adley | Heitmeier | Mount |
| Barham | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Jones, B | Smith |
| Cravins | Lambert | Theunissen |
| Dardenne | Lentini | Thomas |
| Dean | Malone | Ullo |
| Dupre | Marionneaux | |
| Ellington | McPherson | |
| Total—28 | | |

NAYS

| | | |
|-----------|-----------|--------|
| Bajoie | Irons | Tarver |
| Boissiere | Johnson | |
| Holden | Jones, CD | |
| Total—7 | | |

ABSENT

| | |
|---------|-----------|
| Bean | Gautreaux |
| Fields | Hines |
| Total—4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 1020—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:1281(A), relative to fees of physicians and surgeons, and allied health care professionals; to authorize the Louisiana State Board of Medical Examiners to establish and modify the fee schedule for any license, certificate, permit, or registration that it is authorized by law to issue; to provide for the recovery of costs associated with certain administrative functions of the board; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Malone |
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dupre | Jones, B | Theunissen |
| Ellington | Jones, CD | Thomas |
| Fontenot | Lentini | Ullo |
| Total—33 | | |

NAYS

| |
|---------|
| Dean |
| Total—1 |

ABSENT

| | | |
|---------|---------|-----------|
| Bean | Fields | McPherson |
| Cravins | Lambert | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:35, 40(3), 52, and 54 and to repeal R.S. 40:40(7), relative to the fee for certified copies of vital records; to provide for an increase in fees for the issuance of an initial certified copy of a death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits; to remove the fee for burial permits; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Re-reengrossed House Bill No. 1078 by Representative Durand

AMENDMENT NO. 1

Delete Senate Conforming Amendments adopted June 2, 2003.

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Adley | Heitmeier | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Total—35 | | |

NAYS

Dean
Total—1

ABSENT

| | | |
|---------|--------|---------|
| Bean | Fields | Lambert |
| Total—3 | | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 70—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to designate the loss of coastal wetlands to be our "state crisis"; to authorize the use of the "America's WETLAND" logo on official state documents; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Boissiere | Hines | McPherson |
| Chaisson | Hoyt | Romero |
| Dupre | Johnson | Theunissen |
| Gautreaux | Jones, CD | |
| Total—11 | | |

NAYS

| | | |
|---------------|----------|-------------|
| Mr. President | Fontenot | Marionneaux |
| Adley | Holden | Michot |
| Barham | Hollis | Mount |
| Cain | Irons | Schedler |

Dardenne
Dean
Ellington
Total—21

Jones, B
Lentini
Malone

Smith
Tarver
Thomas

ABSENT

Bajoie
Bean
Cravins
Total—7

Fields
Heitmeier
Lambert

Ullo

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Dupre, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

HOUSE BILL NO. 139—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the civil jurisdiction of the City Court of Lake Charles; to increase the jurisdictional amount of the court; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Marionneaux |
| Adley | Gautreaux | McPherson |
| Bajoie | Heitmeier | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dean | Jones, CD | Thomas |
| Dupre | Lentini | Ullo |
| Ellington | Malone | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------|---------|
| Bean | Hines |
| Fields | Lambert |
| Total—4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 543—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 31:149 and to repeal R.S. 31:149.1 through 149.3, relative to prescription of mineral rights; to provide relative to prescription of nonuse when property is acquired by certain governmental agencies or other specified entities; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 693—

BY REPRESENTATIVES FARRAR AND CURTIS

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), relative to the civil jurisdiction of the City Court of Alexandria; to increase the jurisdictional amount of the court; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:15(C) and (F), relative to fees a district attorney may charge for collection on worthless or forged checks, drafts, or orders; to increase the fees based on the amount of the worthless or forged check, draft, or order; to increase the fee the district attorney is required to charge on behalf of the person or entity that honored the worthless or forged check, draft, or order; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Heitmeier | McPherson |
| Adley | Hines | Michot |
| Bajoie | Holden | Mount |
| Barham | Hollis | Romero |
| Boissiere | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Gautreaux | Marionneaux | |
| Total—34 | | |

NAYS

| | |
|---------|------|
| Cain | Dean |
| Total—2 | |

ABSENT

| | | |
|---------|--------|---------|
| Bean | Fields | Lambert |
| Total—3 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 886—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Heitmeier | McPherson |
| Adley | Hines | Michot |
| Bajoie | Holden | Mount |
| Barham | Hollis | Romero |
| Boissiere | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Gautreaux | Marionneaux | |
| Total—34 | | |

NAYS

| | |
|---------|------|
| Cain | Dean |
| Total—2 | |

ABSENT

| | | |
|---------|--------|---------|
| Bean | Fields | Lambert |
| Total—3 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 965—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:1922(E), relative to the Insurance Committee of the Assessors' Insurance Fund; to change the membership of the committee; to provide an effective date; and to provide for related matters.

On motion of Senator Cain, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1089—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 13:966.1(B), relative to court reporters for the Twentieth Judicial District Court, comprised of the parishes of East and West Feliciana; to provide for the annual salary of court reporters; and to provide for related matters.

The bill was read by title. Senator Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Adley | Heitmeier | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |

June 11, 2003

Dardenne
Dupre
Ellington
Fontenot
Total—35

Jones, B
Jones, CD
Lentini
Malone

Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Bean
Total—3

Fields

Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1091—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:982(G)(1)(a) and (I)(2)(b), to enact R.S. 13:501(B)(3)(d) and (e), and to repeal R.S. 13:982(E), relative to judges in the Fortieth Judicial District; to set the per page court reporter fees for transcribed and copied testimony in civil and criminal matters; to authorize the judges to provide for additional matters to be held on the east bank of the Mississippi River with the consent of all of the judges after a certain date; to authorize a defendant to waive the requirement that certain criminal matters be held on the west bank of the river; to repeal certain duties of the court reporters; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dupre
Ellington
Fontenot
Gautreaux
Total—34

Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Bean
Total—4

Fields
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Ellington in the Chair

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY AND BRUCE

AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with certain criminal bonds posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining which persons may petition the court for a waiver of the fees; to provide for refunds of the fees; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dupre
Ellington
Fontenot
Gautreaux
Total—32

Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Bean
Total—6

Dardenne
Fields
Jones, B
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 32:432(A) and to enact R.S. 32:414(P) and 432(C) and R.S. 47:296.2, relative to individual income tax; to suspend drivers' licenses for failure to pay individual income tax; to deny the renewal of drivers' licenses for failure to pay individual income tax; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere

Heitmeier
Hines
Holden
Hollis

McPherson
Michot
Mount
Romero

June 11, 2003

Cain
Chaisson
Cravins
Dardenne
Dupre
Ellington
Fontenot
Gautreaux
Total—34

Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone
Marionneaux

Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Bean
Total—4

Fields
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1333—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 35:409, relative to ex officio notaries; to provide for the appointment of ex officio notaries for university police departments; to provide for the exercise of authority; to provide for compensation; to provide for the authority of the chief of police of the university to suspend or terminate the appointment; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—35

Gautreaux
Heitmeyer
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1373—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact Civil Code Article 493, relative to ownership of improvements permanently attached to the ground; provides for ownership when the owner of the improvements no longer has the right to keep them on the land; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—32

Gautreaux
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Bean
Total—7

Fields
Heitmeyer
Lambert

Tarver

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1374—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2791(A), relative to property not used for commercial recreational activities; provides relative to responsibility by the owner; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Gautreaux

Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

Total—31

NAYS

Total—0

ABSENT

Mr. President
Adley
Bajoie

Bean
Fields
Heitmeier

Lambert
Tarver

Total—8

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1377—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(J), relative to the Medical Malpractice Act; to provide for legal counsel for the Patient's Compensation Fund; and to provide for related matters.

On motion of Senator Hainkel, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1543—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 9:2729, relative to immovable property; to provide for presumptions regarding the acquisition of an undivided interest; to provide presumptions regarding co-ownership; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Gautreaux
Total—32

Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Adley
Bajoie
Total—7

Bean
Fields
Heitmeier

Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1544—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:2971, relative to the transfer of lands; to provide for a presumption regarding the transfer of land fronting or bounded by certain things; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Barham
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Fontenot
Gautreaux
Total—31

Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Lentini
Malone
Marionneaux
McPherson

Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Bean
Total—8

Cravins
Fields
Heitmeier

Jones, CD
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1582—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:1992(C), relative to the assessment of property for ad valorem tax purposes; to provide that complaints filed with local boards of review by certified mail shall be received at the board office no later than seven days prior to the public hearing; to provide that complaints may be filed by facsimile transmission to the board office and shall be received at the board office no later than seven days prior to the public hearing; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson

Fontenot
Gautreaux
Hines
Holden
Hollis
Hoyt

Marionneaux
McPherson
Michot
Mount
Romero
Schedler

Cravins
Dardenne
Dean
Dupre
Ellington
Total—33

Irons
Johnson
Jones, B
Lentini
Malone

Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—6

Fields
Heitmeier

Jones, CD
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1592—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2800, relative to ownership of improvements on state land; provides for ownership when the owner of the improvements no longer has the right to keep them on state land; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—35

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Fields
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1614—

BY REPRESENTATIVES TUCKER AND ARNOLD

AN ACT

To amend and reenact R.S. 14:71.2, R.S. 16:15.1, and R.S. 47:820.5.1 and 820.5.2 and to enact R.S. 47:820.5.3, relative to toll collections on the Crescent City Connection and the Greater New Orleans Expressway; to provide for police powers of the Crescent City Connection Division and of the Greater New Orleans Expressway Commission; to facilitate collection of tolls

by video or photo-monitoring systems; to provide penalties; to provide for the crime of failure to pay bridge or causeway tolls; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—34

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—5

Fields
Lambert

Theunissen

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1634—

BY REPRESENTATIVE CAPELLA

AN ACT

To amend and reenact Code of Civil Procedure Article 4134(A) and (C), relative to natural tutors; to provide that a certificate filed for recordation shall include the total value of the minor's property; to provide for exceptions when the minor has no assets or only has a contested claim; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—34

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

| | | |
|---------------|---------|-----------|
| Mr. President | Fields | McPherson |
| Bean | Lambert | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1637—

BY REPRESENTATIVE CAPELLA

AN ACT

To amend and reenact R.S. 9:4808(C), 4820(A)(2), and 4822(F) and to enact R.S. 9:4811(E), relative to contractors; to provide for the demolition of existing structures; to provide for the release of a notice of contract; to provide for the effective date of privileges; to provide the termination of privileges; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Malone |
| Bajoie | Heitmeier | Marionneaux |
| Barham | Hines | Michot |
| Boissiere | Holden | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dupre | Jones, B | Thomas |
| Ellington | Jones, CD | Ullo |
| Fontenot | Lentini | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|-------|
| Mr. President | Fields | Mount |
| Bean | Lambert | |
| Dean | McPherson | |
| Total—7 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1640—

BY REPRESENTATIVES TOOMY AND FAUCHEUX

AN ACT

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of the prosecuting authority for certain expenses relative to the suspended driver's license; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1667—

BY REPRESENTATIVE CAPELLA

AN ACT

To amend and reenact R.S. 9:2092(B)(1)(introductory paragraph) and (c), relative to recordation of trust instruments; to provide for the execution of an extract of the trust instrument; to provide for the inclusion of certain information in the extract; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-------------|------------|
| Adley | Heitmeier | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Gautreaux | Marionneaux | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|---------|---------|
| Mr. President | Cravins | Lambert |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Cain asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**House Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Cain asked that House Bill No. 965 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 965—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:1922(E), relative to the Insurance Committee of the Assessors' Insurance Fund; to change the membership of the committee; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Boissiere | Hollis | Mount |
| Cain | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, CD | Theunissen |
| Fontenot | Lentini | Thomas |
| Gautreaux | Malone | Ullo |
| Total—33 | | |

NAYS

Dean
Total—1

ABSENT

| | | |
|---------------|---------|---------|
| Mr. President | Cravins | Lambert |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Adley asked that House Bill No. 1944 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1944—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(introductory paragraph) and (e), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 1944 by Representative Montgomery

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 13 proposed by Senator Adley and adopted by the Senate on May 21, 2003.

AMENDMENT NO. 2

Delete Senate Floor Amendment Nos. 1 through 8 proposed by the Legislative Bureau and adopted by the Senate on May 22, 2003.

AMENDMENT NO. 3

On page 1, line 2, after "To" delete the remainder of the line, delete lines 3 and 4, and insert the following: "amend and reenact R.S. 27:93(A)(1), (2)(introductory paragraph), (a), and (i) and (7) and (B), relative to admission fees"

AMENDMENT NO. 4

On page 1, line 13, after "Section 1." delete the remainder of the line, delete lines 14 and 15, and insert "R.S. 27:93(A)(1), (2)(introductory paragraph), (a), and (i) and (7) and (B) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 1, delete lines 18 and 19, and insert the following:

"A.(1) The local governing authority of the parish or municipality in which the licensed berth of a riverboat is located may levy an admission fee of up to two and one-half dollars for each passenger boarding or embarking upon a riverboat; provided that in Bossier Parish, other than in Bossier City, and Caddo Parish an admission fee of up to three dollars may be levied. The governing authority of Bossier City, for each riverboat located in Bossier City in Bossier Parish, shall levy an assessment in the amount of four and seven tenths percent of the monthly net gaming proceeds as defined in R.S. 27:44(15) as the admission fee. For purposes of this Section, "licensed berth" shall mean the berth, dock, facility, or boarding area from which a riverboat excursion is authorized to originate by the commission or from which a riverboat is authorized by the commission to operate."

AMENDMENT NO. 6

On page 2, line 2, change "Caddo Parish" to "the parishes of Caddo and Bossier"

AMENDMENT NO. 7

On page 2, line 7, after "(a)", insert the following: "Eighty percent of the revenues collected within the parish of Bossier, other than Bossier City, to the governing authority where the boat is located; sixty-nine"

AMENDMENT NO. 8

On page 2, line 9, delete "Sixty-nine"

AMENDMENT NO. 9

On page 2, between lines 11 and 12, insert the following:

"(i) In Bossier Parish, other than Bossier City, if the local governing authority levies an additional fifty-cent admission fee as authorized by Paragraph (1) of this Subsection, the funds derived from this additional fee shall be used in their entirety for the parish road fund and shall be used to provide that Airline Drive from I-220 to the Linton Road Cutoff be made into a four-lane highway. After this project has been completed, the funds derived from this additional fee shall be used for general use in the parish road fund.

* * *

On page 2, line 12, after "(7)" delete the remainder of the line, delete lines 13 through 16, and insert the following: "The admission fee which the governing authority of Bossier City shall levy for any riverboat located within Bossier City in Bossier Parish shall be four and seven-tenths percent of the monthly net gaming proceeds from each riverboat. The funds derived from the assessment of the monthly net gaming proceeds"

AMENDMENT NO. 10

On page 2, delete lines 18 through 26, on page 3, delete lines 1 through 18, and insert the following:

"(a) ~~Two dollars~~ Three percent of the monthly net gaming proceeds to the city of Bossier City.

(b) Fifty cents ~~Sixty-six hundredths percent of the monthly net gaming proceeds~~ to the parish road fund for four-laning Airline Drive; and after this project has been completed the funds derived from this fee shall be used for general use by the parish road fund.

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(c) ~~Twenty-five cents~~ Fifty-nine hundredths percent of the monthly net gaming proceeds to the Bossier Educational Excellence Fund, as provided for in R.S. 17:408.2.

(d) ~~Twenty cents~~ Twenty-five hundredths percent of the monthly net gaming proceeds to the Bossier Parish sheriff's office.

(e) ~~Five cents~~ Five hundredths percent of the monthly net gaming proceeds to the Johnny Gray Jones Youth Shelter and Bossier Parish Juvenile Detention Center operation.

(f) Fifteen-hundredths percent of the monthly net gaming proceeds to the Greater Bossier Economic Development Foundation."

AMENDMENT NO. 11

On page 3, between lines 19 and 20, insert the following:

"B. Other than to levy the admission fee, or the assessment of the monthly net gaming proceeds by the governing authority of Bossier City in Bossier Parish, authorized by Subsection A of this Section, no local governing authority may license or regulate the operation of riverboats and the gaming operations conducted thereon.

* * *

AMENDMENT NO. 12

On page 3, delete lines 20 and 21.

AMENDMENT NO. 4

On page 3, line 22, change "Section 3." to "Section 2."

AMENDMENT NO. 13

On page 3, line 23, between "contract" and "which" insert the following: "previously executed by the city of Bossier City and/or the Bossier Police Jury"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Adley moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Boissiere | Hollis | Mount |
| Cain | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, CD | Theunissen |
| Ellington | Lentini | Thomas |
| Gautreaux | Malone | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|---------|----------|
| Mr. President | Cravins | Fontenot |
| Bean | Fields | Lambert |
| Total—6 | | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Adley asked that House Bill No. 206 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 206—

BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND JANE SMITH

AN ACT

To amend and reenact R.S. 19:121, relative to expropriation of property by a declaration of taking by the cities of Bossier City and Shreveport; to redefine property subject to such expropriation; to direct the Louisiana State Law Institute to appropriately rename the Part heading; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 206 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, between "19:121" and the comma "," insert "and to enact R.S. 19:124.1"

AMENDMENT NO. 2

On page 1, line 4, between "expropriation" and the semi-colon ";" insert "; to provide for the method of compensation"

AMENDMENT NO. 3

On page 1, line 11, between "reenacted" and "to" insert "and R.S. 19:124.1 is hereby enacted"

AMENDMENT NO. 4

On page 2, between lines 2 and 3, insert the following:

"* * *

§124.1. Method of compensation

R.S. 19:124.1 is all proposed new law.

The method of compensation to be paid to the owner of any property and/or structure subject to quicktake pursuant to this Part, shall be the appraised value or replacement cost whichever is greater, plus any loss of income that occurs as a result of the quicktake if such applies.

Section 2. The provisions of this Act shall expire on August 31, 2004."

AMENDMENT NO. 5

On page 2, at the beginning of line 3, change "2" to "3"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Adley moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Heitmeier | Marionneaux |
| Bajoie | Hines | McPherson |
| Barham | Holden | Michot |
| Boissiere | Hollis | Mount |
| Cain | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, CD | Theunissen |

Fontenot
Gautreaux
Total—33

Lentini
Malone

NAYS

Thomas
Ullo

Dean
Total—1

ABSENT

Mr. President
Bean
Total—5

Cravins
Fields

Lambert

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Hainkel asked that House Bill No. 531 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 531—

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH
AN ACT

To enact R.S. 49:213.9, relative to property rights; to limit recovery for property taken or affected by coastal restoration; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 531 by Representative Pitre

AMENDMENT NO. 1

Delete Senate Conforming Floor Amendment No. 3 proposed by Senator Hainkel and adopted by the Senate on May 12, 2003.

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 531 by Representative Pitre

AMENDMENT NO. 1

On page 2, delete lines 4 through 7

AMENDMENT NO. 2

On page 2, line 8, change "Section 3." to "Section 2."

AMENDMENT NO. 3

On page 2, line 8, after "shall" insert "be applied prospectively only and shall"

Senator Chaisson moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Chaisson
Cravins
Total—7

Gautreaux
Holden
Lentini

Marionneaux

NAYS

Mr. President
Adley
Barham
Boissiere
Cain
Dardenne
Dean
Dupre
Ellington
Total—27

Fontenot
Hines
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Malone

Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

ABSENT

Bean
Fields
Total—5

Heitmeier
Lambert

McPherson

The Chair declared the amendments were rejected.

The bill was read by title. Senator Hainkel moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Barham
Boissiere
Cain
Dardenne
Dean
Dupre
Ellington
Total—27

Fontenot
Gautreaux
Hines
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD

Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Bajoie
Chaisson
Cravins
Total—7

Holden
Lentini
Malone

Marionneaux

ABSENT

Bean
Fields
Total—5

Heitmeier
Lambert

McPherson

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Cain asked that House Bill No. 484 be called from the Calendar at this time for its final passage.

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HOUSE BILL NO. 484—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), relative to the civil jurisdiction of the City Court of Leesville; to increase the jurisdictional amount of the court; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Fontenot | Malone |
| Bajoie | Gautreaux | Marionneaux |
| Barham | Hines | Michot |
| Boissiere | Holden | Mount |
| Cain | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|-----------|
| Mr. President | Fields | Lambert |
| Bean | Heitmeier | McPherson |
| Total—6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Hoyt asked that House Bill No. 334 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 334—

BY REPRESENTATIVE PINAC
AN ACT

To repeal R.S. 3:3654(E)(3) and (4)(e), relative to financing statements for farm products; to repeal the requirement of the signature of the debtor; to repeal the requirement of a general property description; and to provide for related matters.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 334 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 3:3654(E)(4)(e) and to"

AMENDMENT NO. 2

On page 1, line 2, after "(3)" delete "and (4)(e)"

AMENDMENT NO. 3

On page 1, line 3, after "products:" insert "to provide for registry requirements on financing statements;"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"Section 1. 3654 Central registry
* * *

E. Effective financing statements shall be subject to the following provisions. Each effective financing statement shall:

(1) Be an original or reproduced copy thereof.

(2) Be signed and filed with the filing officer by the creditor.

(3) Be signed by the debtor.

(3) (4) Contain:
* * *

(e) A reasonable description of the property, including the farm name or its general location by section, township, and range, or otherwise, and the parish in which the property is located at the time the statement is signed by the debtor or, alternatively, the Farm Service Agency of the United State Department of Agriculture (FSA) farm number.

(f) The name of the county or parish in which the farm products are produced or located.

(4) Be amended in writing, within three months, similarly signed and filed, to reflect material changes.
* * *

AMENDMENT NO. 5

On page 1, line 7, after "Section" change "1" to "2"

AMENDMENT NO. 6

On page 1, line 7, after "(3)" delete "and (4)(e) are" and insert "is" in lieu thereof

AMENDMENT NO. 7

On page 1, after line 8, insert the following:

"Section 3. The effective date of the provisions of this Act is subject to and contingent upon the approval of the United State Department of Agriculture."

On motion of Senator Hoyt, the amendments were adopted.

The bill was read by title. Senator Hoyt moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Marionneaux |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|-----------|
| Mr. President | Fields | McPherson |
| Bean | Heitmeier | |
| Cravins | Lambert | |

Total—7

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Thomas asked that House Bill No. 10 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 10—

BY REPRESENTATIVES NEVERS AND BRUCE
AN ACT

To amend and reenact R.S. 14:93.3(E), relative to cruelty to the infirmed; to provide for increased penalties for second or subsequent convictions; and to provide for related matters.

The bill was read by title. Senator Thomas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Gautreaux | Marionneaux |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|-----------|
| Mr. President | Fields | McPherson |
| Bean | Heitmeier | |
| Cravins | Lambert | |
| Total—7 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Hollis asked that House Bill No. 1343 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1343—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 37:1448, 1455(A)(11), 1457, and 1458 and to enact R.S. 37:1455(A)(33), 1456(C), and 1459, relative to licensing of real estate agents; to provide for penalties for unlicensed persons or persons whose license is suspended or revoked who engage in certain real estate activity; to provide for certain rules of procedure for administrative and judicial proceedings; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Adley | Fontenot | Malone |
| Bajoie | Gautreaux | Marionneaux |
| Barham | Hines | Michot |
| Boissiere | Holden | Mount |
| Cain | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|-----------|
| Mr. President | Fields | Lambert |
| Bean | Heitmeier | McPherson |
| Total—6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Smith asked that House Bill No. 1669 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1669—

BY REPRESENTATIVES THOMPSON, R. CARTER, BAUDOIN, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised statutes of 1950, to be comprised of R.S. 3:551.1 through 551.12, relative to the production and sale of eggs in Louisiana; to provide relative to the composition of the Louisiana Egg Commission; to provide relative to the authority of the commission and the authority of the commissioner of agriculture and forestry to regulate the egg business; to provide relative to research on and marketing of eggs; to provide for fees and assessments; to provide relative to certain violations and penalties therefor; and to provide for related matters.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 1669 by Representative Thompson

AMENDMENT NO. 1

On page 22, line 10, change "Section 2." to "Section 4." and delete "This" and insert in lieu thereof the following: "Except as provided in Sections 2 and 3 of this Act, the provisions of this"

AMENDMENT NO. 2

On page 22, between lines 9 and 10, insert the following:

"Section 2. The provisions of R.S. 3:551.3(B) and (D) as they relate to the composition of the commission, as amended in Section

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1 of this Act, shall become effective at 12:00 o'clock noon on January 12, 2004.

Section 3. The provisions of R.S. 3:551.2(A) and (C) as they relate to the establishment and composition of the commission which are in effect prior to the effective date of this Act shall remain in effect until 12:00 o'clock noon on January 12, 2004, and thereafter shall be null and void."

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-------------|------------|
| Adley | Gautreaux | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, CD | Theunissen |
| Dupre | Lentini | Thomas |
| Ellington | Malone | Ullo |
| Fontenot | Marionneaux | |
| Total—32 | | |

NAYS

Dean
Total—1

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Fields | Jones, B |
| Bean | Heitmeier | Lambert |
| Total—6 | | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

Called from the Calendar

Senator Schedler asked that House Bill No. 981 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 981— BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 9:4751(2), relative to dieticians; to include "dietician" in a certain definition of "health care provider"; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Fontenot | McPherson |
| Adley | Gautreaux | Michot |

Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dupre
Total—30

Hines
Holden
Hoyt
Irons
Jones, CD
Lentini
Malone
Marionneaux

Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Bean
Ellington
Fields
Total—8

Heitmeier
Hollis
Johnson

Jones, B
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Dardenne asked that House Bill No. 1851 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1851—

BY REPRESENTATIVES DEVILLIER, FARRAR, AND BRUCE
AN ACT

To amend and reenact R.S. 40:1563.1(C) and to enact R.S. 40:1563.1(D), relative to local arson investigators; to provide for training, certification, and qualification; to clarify their powers and duties; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—34

Fontenot
Gautreaux
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bean
Fields
Total—5

Heitmeier
Lambert

Schedler

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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Called from the Calendar

Senator Schedler asked that House Bill No. 1448 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1448—

BY REPRESENTATIVES HEBERT, ERDEY, BOWLER, CAPELLA, MORRISH, GARY SMITH, BALDONE, GLOVER, SCALISE, AND WALSWORTH

AN ACT

To enact Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1481 through 1494, relative to the use of credit information for personal insurance; to provide for requirements and restrictions; to provide for corrections; to provide for notification; to provide for filings; to provide for indemnification; to provide for applicability; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|------------|------------|
| Mr. President | Gautreaux | Michot |
| Adley | Hines | Mount |
| Bajoie | Hollis | Romero |
| Barham | Hoyt | Schedler |
| Boissiere | Johnson | Smith |
| Cain | Jones, B | Tarver |
| Chaisson | Jones, CD | Theunissen |
| Dardenne | Lentini | Thomas |
| Dupre | Malone | Ullo |
| Ellington | Marionneau | |
| Fontenot | McPherson | |
| Total—31 | | |

NAYS

| | | |
|---------|------|--------|
| Cravins | Dean | Holden |
| Total—3 | | |

ABSENT

| | | |
|---------|-----------|---------|
| Bean | Heitmeier | Lambert |
| Fields | Irons | |
| Total—5 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator C. Jones asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1448. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator Dupre asked that House Bill No. 1640 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1640—

BY REPRESENTATIVES TOOMY AND FAUCHEUX

AN ACT

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested

person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of the prosecuting authority for certain expenses relative to the suspended driver's license; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Fontenot | Marionneau |
| Adley | Gautreaux | McPherson |
| Bajoie | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Cain | Hoyt | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dean | Jones, CD | Thomas |
| Dupre | Lentini | |
| Ellington | Malone | |
| Total—34 | | |

NAYS

| |
|---------|
| Ullo |
| Total—1 |

ABSENT

| | |
|---------|-----------|
| Bean | Heitmeier |
| Fields | Lambert |
| Total—4 | |

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Michot asked that House Bill No. 599 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 599—

BY REPRESENTATIVES JOHNS AND FRUGE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and to enact R.S. 40:1299.41(A)(21), relative to medical malpractice; to provide for definitions; to provide for emergency medical services rendered in certain circumstances; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|----------|
| Mr. President | Ellington | Michot |
| Adley | Fontenot | Mount |
| Bajoie | Gautreaux | Romero |
| Barham | Hines | Schedler |
| Boissiere | Hollis | Smith |
| Cain | Hoyt | Tarver |

| | | |
|----------|-----------|------------|
| Chaisson | Irons | Theunissen |
| Cravins | Johnson | Thomas |
| Dardenne | Jones, CD | Ullo |
| Dean | Lentini | |
| Dupre | Malone | |
| Total—31 | | |

NAYS

| | |
|---------|-------------|
| Holden | Marionneaux |
| Total—2 | |

ABSENT

| | | |
|---------|-----------|-----------|
| Bean | Heitmeier | Lambert |
| Fields | Jones, B | McPherson |
| Total—6 | | |

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Theunissen asked that House Bill No. 1377 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1377—
BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.41(J), relative to the Medical Malpractice Act; to provide for legal counsel for the Patient's Compensation Fund; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel and Theunissen to Engrossed House Bill No. 1377 by Representative Dewitt

AMENDMENT NO. 1

On page 1, line 2, after "1299.41(J)" and before the comma ",", insert "and to enact R.S. 40:1299.44(D)(2)(b)(xii)"

AMENDMENT NO. 2

On page 1, line 6, after "reenacted" insert "and R.S. 40:1299.44(D)(2)(b)(xii) is hereby enacted"

AMENDMENT NO. 3

On page 2, between lines 4 and 5, insert the following:

§1299.44. Patient's Compensation Fund

| | | | |
|--------|---|---|---|
| | * | * | * |
| D.(1) | * | * | * |
| (2)(a) | * | * | * |

(b) In addition to such other powers and authority elsewhere expressly or impliedly conferred on the board by this Part, the board shall have the authority, to the extent not inconsistent with the provisions of this Part, to:

| | | | |
|-----|---|---|---|
| (i) | * | * | * |
|-----|---|---|---|

(xii) Intervene as a matter of right, at its discretion, in any civil action or proceeding in which the constitutionality of this Part, R.S. 9:5628, R.S. 9:5628.1 and/or any other Louisiana law related to medical malpractice as defined in this Part is challenged."

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Adley | Hines | Michot |
| Bajoie | Holden | Mount |
| Barham | Hollis | Romero |
| Boissiere | Hoyt | Smith |
| Cain | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, B | Thomas |
| Dupre | Jones, CD | Ullo |
| Ellington | Lentini | |
| Fontenot | Malone | |
| Total—31 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|-----------|-----------|
| Bean | Fields | McPherson |
| Chaisson | Heitmeier | Schedler |
| Cravins | Lambert | |
| Total—8 | | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Lentini asked that House Bill No. 1228 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1228—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 423(A)(2) and (3), relative to juvenile court; to authorize hearing officers to accept agreements reached in mediation; to provide for application to parishes with a population over four hundred forty thousand; to provide for expiration; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Malone |
| Adley | Gautreaux | Marionneaux |
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Boissiere | Holden | Mount |
| Cain | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Total—36 | | |

NAYS

June 11, 2003

Total—0

ABSENT

Bean

Fields

Lambert

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

HOUSE CONFEREES APPOINTED

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1776 by Representative Montgomery:

Representatives Hammett, LaFleur and Fruge.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 174 by Representative Doerge:

Representatives DeWitt, Hill and Diez.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1154 by Representative Diez:

Representatives Diez, Pitre and Powell.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 296 by Senator Dardenne:

Representatives Durand, Walsworth and Johns.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 330 by Senator Boissiere:

Representatives Montgomery, Schneider and Gallot.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 567 by Senator Lentini:

Representatives Townsend, Hebert and Richmond.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 135—
BY SENATOR MOUNT****A CONCURRENT RESOLUTION**

To recognize and commend the Sulphur High School Chorus for achieving the title of grand champions of the National Concert Chorus Cup in Branson, Missouri.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 973—
BY SENATORS BOISSIERE, BAJOE AND IRONS AND
REPRESENTATIVE MURRAY****AN ACT**

To enact R.S. 48:1655(A)(1)(c), relative to the Regional Transit Authority; to provide for appointments to the board of commissioners; to allow the chief executive officer of the parish with the greatest percentage of public transit revenue to make certain appointments; to allow for legislative input in such appointments; to provide a time frame for such input; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 886—
BY SENATOR HOYT****AN ACT**

To amend and reenact R.S. 9:3541.22(A), relative to home solicitation loan; to prohibit the home solicitation of any person where the loan encumbers the primary residence of the consumer for purposes of home improvements; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1081—
BY SENATOR CHAISSON****AN ACT**

To amend and reenact R.S. 6:824(A)(1), relative to repayment of loans; to delete the minimum sixty-one day grace period; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 897—
BY SENATOR HOLLIS****AN ACT**

To amend and reenact R.S. 51:2311(A)(1) and (2)(a), (b), and (i), (B), (D), and (E) and to repeal R.S. 51:2311(A)(2)(j), relative to economic development; to provide relative to the Louisiana Economic Development Corporation board of directors; to provide for the secretary of the Department of Economic Development; to provide for board appointees; to provide for a quorum of the board; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 10—
BY SENATOR THEUNISSEN****AN ACT**

To amend and reenact R.S. 15:254.6(B)(2) relative to compulsory process; to provide for the use of unexpended and unencumbered funds in the witness fee account for the town of Welsh; to provide that surplus funds may be deposited into the town's general fund to pay for infrastructure improvements and equipment; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 132—
BY SENATOR LAMBERT****AN ACT**

To amend and reenact R.S. 40:1300.61(C)(1), relative to the River Region Cancer Screening and Early Detection District; to increase the membership by two on the board of commissioners; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 155—
BY SENATOR SCHEDLER****AN ACT**

To amend and reenact R.S. 17:421.8(B), relative to school counselors; to provide relative to salary supplements for school counselors who hold a National Certified School Counselor credential issued by the National Board for Certified Counselors; to provide for verification; to require submission of certain documentation to the Department of Education by a certain date; to provide relative to the payment of the initial supplement; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 197—
BY SENATOR BOISSIERE****AN ACT**

To amend and reenact R.S. 11: 181(B)(3), relative to Louisiana Clerks of Court Retirement System and Relief Fund; to delete reference to the chairman of the Senate Finance Committee from the provisions of law relating to per diem; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 199—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1541, relative to Louisiana Clerks of Court Retirement System and Relief Fund; to provide that the chairman of the Senate Retirement Committee shall serve as an ex officio member; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 215—
BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:205, relative to the Louisiana State University Retirement System; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 252—
BY SENATOR DUPRE

AN ACT

To enact R.S. 40:1496(I), relative to fire protection districts; to provide for the membership of the board of commissioners of the Terrebonne Parish Fire District Number Five; to provide for extending the district into Lafourche Parish; to provide for the terms of office for board members; to provide for the board chairman; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 301—
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:56(F)(7), relative to the confidentiality of client records; to authorize the release of non-identifying medical or genetic information from the department's records to a former foster child or his representative; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 110—
BY SENATORS HINES AND HOYT

AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to minimum blade length; to prohibit a student from carrying or possessing a knife of any blade length; to provide for the discipline of such student; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

June 11, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 121—

BY REPRESENTATIVES SHAW AND ILES
AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1035—

BY REPRESENTATIVES JOHNS, DIEZ, AND THOMPSON
AN ACT

To enact R.S. 13:5106(F), relative to driving while intoxicated; to provide for the injury or death of certain operators of motor vehicles; to provide a limitation of liability for the state, state agencies, and political subdivisions; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 540—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 46:333(D), relative to operation of concessions in public buildings; to provide for operation of concessions by blind persons; to provide for the exemption of certain facilities; and to provide for related matters.

HOUSE BILL NO. 642—

BY REPRESENTATIVE DANIEL
A JOINT RESOLUTION

Proposing to add Article X, Section 29(E)(2)(e) of the Constitution of Louisiana, relative to retirement and survivors' benefits; to provide relative to the establishment and actuarial soundness of certain public retirement systems; to provide for amortization of supplemental unfunded accrued liability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 909—BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:762(K) and 769, relative to the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1858—BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH
AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1919—BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of members' necessary travel expenses; and to provide for related matters.

HOUSE BILL NO. 625—BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 6:1096(G) and R.S. 9:3572.6(C), relative to loan brokers; to allow collection of certain fees by mortgage brokers and consumer loan brokers as part of an advance expense deposit; and to provide for related matters.

HOUSE BILL NO. 19—BY REPRESENTATIVE FRITH
A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 1510—BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:691(C), (E), and (F)(2) and to enact R.S. 22:691(H), relative to the standard fire insurance contract; to provide for the office of property and casualty; to provide for cancellation notice; to provide for loss payable; to provide for terrorism coverage; and to provide for related matters.

HOUSE BILL NO. 2033 (Substitute for House Bill No. 1439 by Representatives Hebert and Morrish)—BY REPRESENTATIVES HEBERT, FAUCHEUX, MORRISH, AND GARY SMITH
AN ACT

To enact R.S. 22:228.1(B)(12) and (C), relative to health insurance; to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies; and to provide for related matters.

HOUSE BILL NO. 1625—BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:102(B)(3)(d), 542(A), (B), (C)(1)(introductory paragraph), and (D), and 883.1(A), (B), (C)(1)(introductory paragraph), and (D), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System and of the Teachers' Retirement System of Louisiana; to

provide for amortization of unfunded accrued liabilities in over a thirty-year period from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 2000—BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 22:1404(7), relative to homeowners insurance rates; to provide for limitations; to provide for contiguous parishes; and to provide for related matters.

HOUSE BILL NO. 1408—BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and (3)(b) and (I)(4) and (5) and 1299.47(A)(1), (2)(b), and (3)(b) and (I)(2)(b) and (3) and to enact R.S. 40:1299.39.1(A)(3)(c) and (4) and (I)(6) and 1299.47(A)(3)(c) and (4) and (I)(4), relative to the state and private Medical Malpractice Acts; to provide relative to medical review panels; to provide for the inclusion of certain information in each request for a medical review panel; to provide for the payment of a filing fee; to provide for exceptions to and the waiver of the filing fee in certain circumstances; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for the payment of the costs of the medical review panel; to provide for the refund of the filing fee under certain conditions; and to provide for related matters.

HOUSE BILL NO. 1974—BY REPRESENTATIVE HAMMETT
AN ACT

To enact Chapter 45 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2751 through 2760, relative to economic development; to create the Louisiana Retention and Modernization Program; to provide for incentive rebates to certain businesses to remain in Louisiana which are at high risk for relocation to another state; to provide incentive rebates to certain businesses which modernize their existing operations in this state; to provide for criminal penalties; to provide for rules and regulations; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1876—BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), (ii)(aa), (cc), (dd)(I), and (ee) and to enact R.S. 30:2511(D), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the office of environmental education; to provide relative to the use of such funds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 867—BY REPRESENTATIVES MORRELL AND PEYCHAUD
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 19—

BY REPRESENTATIVE FRITH

A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 540—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 46:333(D), relative to operation of concessions in public buildings; to provide for operation of concessions by blind persons; to provide for the exemption of certain facilities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 625—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 6:1096(G) and R.S. 9:3572.6(C), relative to loan brokers; to allow collection of certain fees by mortgage brokers and consumer loan brokers as part of an advance expense deposit; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and Internal Affairs.

HOUSE BILL NO. 642—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to add Article X, Section 29(E)(2)(e) of the Constitution of Louisiana, relative to retirement and survivors' benefits; to provide relative to the establishment and actuarial soundness of certain public retirement systems; to provide for amortization of supplemental unfunded accrued liability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 867—

BY REPRESENTATIVES MORRELL AND PEYCHAUD

AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 909—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:762(K) and 769, relative to the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1408—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and (3)(b) and (1)(4) and (5) and 1299.47(A)(1), (2)(b), and (3)(b) and (1)(2)(b) and (3) and to enact R.S. 40:1299.39.1(A)(3)(c) and (4) and (1)(6) and 1299.47(A)(3)(c) and (4) and (1)(4), relative to the state and private Medical Malpractice Acts; to provide relative to medical review panels; to provide for the inclusion of certain information in each request for a medical review panel; to provide for the payment of a filing fee; to provide for exceptions to and the waiver of the filing fee in certain circumstances; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for the payment of the costs of the medical review panel; to provide for the refund of the filing fee under certain conditions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1510—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:691(C), (E), and (F)(2) and to enact R.S. 22:691(H), relative to the standard fire insurance contract; to provide for the office of property and casualty; to provide for cancellation notice; to provide for loss payable; to provide for terrorism coverage; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1625—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:102(B)(3)(d), 542(A), (B), (C)(1)(introductory paragraph), and (D), and 883.1(A), (B), (C)(1)(introductory paragraph), and (D), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System and of the Teachers' Retirement System of Louisiana; to provide for amortization of unfunded accrued liabilities in over a thirty-year period from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1858—

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH

AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to

each employee; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1876—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), (ii)(aa), (cc), (dd)(I), and (ee) and to enact R.S. 30:2511(D), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the office of environmental education; to provide relative to the use of such funds; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1919—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of members' necessary travel expenses; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1974—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact Chapter 45 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2751 through 2760, relative to economic development; to create the Louisiana Retention and Modernization Program; to provide for incentive rebates to certain businesses to remain in Louisiana which are at high risk for relocation to another state; to provide incentive rebates to certain businesses which modernize their existing operations in this state; to provide for criminal penalties; to provide for rules and regulations; to provide for definitions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and Internal Affairs.

HOUSE BILL NO. 2000—

BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 22:1404(7), relative to homeowners insurance rates; to provide for limitations; to provide for contiguous parishes; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 2033 (Substitute for House Bill No. 1439 by Representatives Hebert and Morrish)—

BY REPRESENTATIVES HEBERT, FAUCHEUX, MORRISH, AND GARY SMITH
AN ACT

To enact R.S. 22:228.1(B)(12) and (C), relative to health insurance; to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**HEALTH AND WELFARE**

Senator Schedler, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

June 11, 2003

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATOR B. JONES
A CONCURRENT RESOLUTION

To create and provide for a task force to study the health care information needs of health care purchasers, employers, and consumers and to study the feasibility of creating a Louisiana Health Care Information Council to benefit consumers and employers in both the public and private sectors.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 133—

BY SENATOR IRONS
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation to correct the flawed Medicare hospital outpatient prospective payment system methodology in order to ensure that all hospitals are appropriately reimbursed for drugs and biologics as well as to ensure beneficiary access to innovative biotechnology drugs.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 134—

BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals review potential solutions and, if appropriate, promulgate rules to enhance the efficiency of the Mental Retardation/Developmental Disabilities Home and Community Based Waiver, examining a right of first refusal provision to afford individuals the opportunity to forego their waiver opportunity until a time when they are in need of the services and assessing the issues of access to emergency waiver opportunities to meet the needs of individuals seeking to prevent institutionalization during a crisis situation.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE BROOME
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to review the registry of current requests for long-term care services and to recommend practical solutions on how these services may be more effectively and efficiently provided.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 218—

BY REPRESENTATIVES MORRELL, WELCH, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, AND SWILLING AND SENATORS BAJOE, BOISSIERE, CRAVINS, FIELDS, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To urge and request the National Institute to Combat Health Disparities to study health disparities and develop a new research agenda designed in collaboration with racial and ethnic minority communities.

Reported with amendments.

HOUSE BILL NO. 1584—

BY REPRESENTATIVES WELCH, CAZAYOUX, GALLOT, GLOVER, GUILLORY, L. JACKSON, M. JACKSON, KENNEY, LUCAS, MURRAY, TOWNSEND, AND WRIGHT AND SENATORS IRONS AND TARVER

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191, relative to state funds; to establish the Community-based Primary Health Care Initiative Fund in the state treasury; to provide for the deposit of monies into the fund; to provide for uses of monies in the fund; to provide for grants from the fund to community health centers for operations and various community health programs and other purposes; to create the Community-based Primary Health Care Initiative within the Department of Health and Hospitals; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1840—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1116(B)(introductory paragraph) and (C)(introductory paragraph), 1120(A)(introductory paragraph), and 1121 and to repeal R.S. 37:1104(B)(2)(d) and 1106(A)(9), relative to licensed marriage and family therapists; to provide for changes to the content of the board; to delete the examination fee for marriage and family license applicants; to provide for replacements for vacancies that arise in the board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2010 (Substitute for House Bill No. 1044 by Representative Murray) —

BY REPRESENTATIVE MURRAY

AN ACT

To authorize the Milne Home for Girls to operate as an adult residential care home; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2019 (Substitute for House Bill No. 1715 by Representative Glover)—

BY REPRESENTATIVES GLOVER AND L. JACKSON

AN ACT

To enact R.S. 40:31.2, relative to public health; creates the Interagency Task Force on Health Literacy; and to provide for related matters.

Reported favorably.

Respectfully submitted,
TOM SCHEDLER
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 11, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

SENATE RESOLUTION NO. 61—

BY SENATOR BOISSIERE

A RESOLUTION

To provide that Macedonia was Greek for 3,000 years and continues to be Greek, as well as the ancient Macedonians and the inhabitants of the Norther Province of Greece, Macedonia are their Greek descendants.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To recognize the Louisiana Choctaw Turtle Tribe as an Indian tribe of Louisiana.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 221—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the Congress of the United States of America to declare the second Sunday in October as Godparents' Day.

Reported favorably.

HOUSE BILL NO. 576—

BY REPRESENTATIVES LEBLANC, DEWITT, HAMMETT, AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article III, Section 11 of the Constitution of Louisiana, relative to the legislative auditor; to prohibit certain political activities by the legislative auditor and his employees; to prohibit any former legislative auditor from qualifying for elected public office for a certain time period; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 895—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1483(11), relative to the definition of major office for the purposes of the Campaign Finance Disclosure Act; to remove the exclusion of certain judicial seats from the definition of "major office"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1054—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1505.2(K)(2), 1511.3(C), and 1532 and to enact R.S. 18:1491.1(B)(9) and 1505.2(K)(3), relative to the campaign finance laws; to provide for certain information to be included in the statement of organization of a political committee; to prohibit certain political committees from accepting contributions in excess of certain limits from any person; to provide for copies of reports filed with the

supervisory committee to be provided to the public upon request; to exempt political committees from filing election day expenditure reports if no election day expenditures are made; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1055—

BY REPRESENTATIVE LANCASTER
AN ACT

To repeal R.S. 49:996(10), relative to the duties of the director of the division of administrative law; to remove the requirement that the director assure that agencies are properly promulgating rules.

Reported favorably.

HOUSE BILL NO. 1199—

BY REPRESENTATIVE LEBLANC
AN ACT

To enact R.S. 42:460, relative to state administration; to authorize the promulgation of rules relative to the recoupment of overpayments to certain state employees; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1350—

BY REPRESENTATIVES DOWNER, WALSWORTH, AND BALDONE
AN ACT

To amend and reenact R.S. 36:4(A)(introductory paragraph), to enact R.S. 36:4(A)(21) and Chapter 21-A of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:781 through 787, and to repeal R.S. 36:4(B)(1)(o), to create and provide for the Department of Veterans Affairs in the executive branch of state government; to provide for the department and its officers and offices, and their powers, duties, functions, and responsibilities; to provide for the transfer of the Veterans' Affairs Commission to the department; to abolish the existing Department of Veterans Affairs in the office of the governor; to provide for the effectiveness of the Act; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1388—

BY REPRESENTATIVES LANCASTER AND BOWLER
AN ACT

To amend and reenact Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:991 through 999.25, relative to the creation and operation of a division of administrative law; to provide for the employment, qualifications, duties, and authority of administrative law judges; to provide for exceptions; to make technical changes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1393—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:919 and to enact R.S. 37:918(18), relative to the Louisiana State Board of Nursing; to provide for the authority of the board relative to the purchase or sale of immovable property and any improvements; to provide for the domicile of the offices that administer the provisions adopted by the board; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1688—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of commissioners and commissioners-in-charge; to provide for commissioners and commissioners-in-charge to be paid timely for their services on election day; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2025 (Substitute for House Bill No. 112 by Representative Guillory)—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:1236.23, relative to naming a senior citizens' services administrative building; to authorize the governing authority of certain parishes to name a senior citizens' services administrative building in honor of a living public officer of the parish; to provide limitations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON**INSURANCE**

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

June 11, 2003

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To establish the Office of Group Benefits Medicare Study Commission.

Reported favorably.

HOUSE BILL NO. 725—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:636.1(B)(2), 636.2(D), 1466(A), and 1471 and to enact R.S. 22:636.2(E), 636.9, and 636.10, relative to the cancellation of insurance policies; to provide for property and casualty insurance; to provide for automobile insurance; to provide for homeowner's insurance; to provide for premiums, deductibles, and surcharges; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1419—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:1404(3)(c)(i) and (d)(i), relative to insurance rates and defensive driving courses; to authorize the office of state police to promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses; to authorize agreements for the funding of the approval and certification process for defensive driving courses; to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1476—

BY REPRESENTATIVES HEBERT, FRUGE, AND BOWLER
AN ACT

To amend and reenact R.S. 22:1254 and 1255(A), relative to the use of courts by unauthorized insurers; to provide for approval; to provide for bonds; to provide for exemption; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1538—

BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:2010(C)(1) and to enact Part XII-B of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2036.1 through 2036.10, relative to health maintenance organizations; to implement risk-based capital requirements for health maintenance organizations; to provide with respect to the authority of the commissioner of insurance to enforce such requirements; to provide for hearings; to provide for confidentiality; to provide for immunity; to provide for regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1555—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 22:3071(32), relative to medical necessity review organizations; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2004 (Substitute for House Bill No. 386 by Representative Crowe)—
BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 22:10, relative to life insurance policies; to provide for a central database; to provide for a search for policies; to provide for the Department of Insurance; to provide for procedures; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON

**COMMERCE, CONSUMER PROTECTION AND
INTERNATIONAL AFFAIRS**

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

June 11, 2003

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 92—

BY REPRESENTATIVE SALTER AND SENATOR ELLINGTON
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to develop a plan to partner with the coordinating responsible

authorities in the renewal communities to ensure business awareness of benefits of the renewal communities.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 96—

BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to develop a community readiness assessment study and plan for rural communities.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 97—

BY REPRESENTATIVES GALLOT, HILL, STRAIN, AND WINSTON
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to develop and add a rural development link to its website.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVES CRANE, DOWNER, AND FUTRELL
A CONCURRENT RESOLUTION

To memorialize the United States Congress to develop and actively support federal legislation to reform certain current bankruptcy laws.

Reported favorably.

HOUSE BILL NO. 107—

BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 9:3577.3(C), relative to credit card solicitation; to prohibit credit card issuers from offering inducements to students; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 515—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 14:331.1 and to repeal Part XV of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3573.1 through 3573.16, relative to credit repair services; to prohibit the business of credit repair services in the state; to provide for exceptions; to provide for penalties for violations; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 802—

BY REPRESENTATIVE TRICHE
AN ACT

To enact Subpart B of Part VII of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1485.1 through 1485.8, relative to carnivals and amusements; to create the Louisiana Carnival and Amusement Rider Safety Act; to require riders of carnival and amusement rides to notify carnival and amusement owners of injuries sustained on rides; to provide for a code of conduct for riders of carnival and amusement rides; to require owners of certain carnivals and amusements to post notices; to provide for criminal penalties for violations of certain rules; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 892—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 47:6007(C)(4), relative to economic development incentives; to provide that certain out-of-state employees locating in Louisiana qualify as "new direct jobs" when determining the amount of rebates under the Quality Jobs Rebate Program; to provide relative to certain transactions of motion picture investors; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 973—

BY REPRESENTATIVE DIEZ
AN ACT

To enact Part XII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3568, and R.S. 9:3571.1(H)(3) and (I) through (L), relative to consumer credit; to provide for protection of victims of identity theft; to provide for police reports; to provide for information to be made available by creditors; to provide for security alerts; to provide for damages; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1202—

BY REPRESENTATIVES FUTRELL AND MONTGOMERY
AN ACT

To amend and reenact R.S. 37:2150, 2150.1(4), 2156.1(C), (F), and (H), 2156.2(D), and 2159(D) and to enact R.S. 37:2156.1(M), relative to the state Licensing Board for Contractors; to provide for legislative intent; to provide for licensure and regulation of persons who perform heating, ventilation, air conditioning, and refrigeration work; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1547—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 51:2303(11) and 2315(D), relative to special treasury funds; to establish the Rural Economic Development Account within the Louisiana Economic Development Fund; to provide for deposit and use of monies in the account; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1562—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 37:3118(A)(1)(f), 3129(A), and 3130 and to enact R.S. 37:3115.1 and 3129(C), relative to auctioneers; to provide for educational requirements for auctioneers and auction businesses; to authorize auctioneers to bid on behalf of an absentee bidder under certain circumstances; to authorize the taking of bids by telephone or other electronic means; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1681—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 37:1449(A) and (B), relative to real estate; to require registrants to provide copies of certain documents to parties of real estate transactions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1838—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:1131.2(20) and (22), 1131.4(A), (B), (C)(2), (5), and (6), and (D), 1131.8, 1131.9(B) and (C), 1131.10.1, 1131.12(B), (C)(3), (D)(introductory paragraph), (E)(6), (F), and (G)(2) and (3), 1131.13(A) (B), and (E), 1131.20(B), (C), (D), (J), and (K), 1131.21(B) and (C), 1131.23(A)(introductory paragraph) and (G), 1131.28(A) and R.S. 37:1437.1(B)(1)(a) and (C), to enact R.S. 9:1131.3(E) through (H), 1131.4(F), 1131.9.1, 1131.9.2, 1131.12(D)(3) through (7), 1131.16.1 and R.S. 37:1437.1(G), and to repeal R.S. 9:1131.4(C)(7) through (13), 1131.10, 1131.12(E)(14) and (18), 1131.12(G)(4) through (8), 1131.13(F), 1131.14, 1131.15, 1131.16, 1131.20(E) through (I), 1131.21(D), and 1131.28(B) and (C), relative to the Louisiana Timesharing Act; to provide for various revisions to the Act; to repeal certain provisions of the Act; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1889—

BY REPRESENTATIVES LUCAS AND MURRAY
AN ACT

To amend and reenact R.S. 9:3516(16)(b) and (23)(b), relative to the Louisiana Consumer Credit Law; to provide with respect to certain fees and charges; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1994—

BY REPRESENTATIVES WELCH, ALEXANDER, BALDONE, BRUCE, CROWE, DOERGE, FANNIN, FRITH, PINAC, GARY SMITH, AND SNEED
AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and to enact R.S. 37:1869.1, relative to secondhand dealers; to prohibit the sale of certain articles of clothing by secondhand dealers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2015 (Substitute for House Bill No. 993 by Representative LaFleur)—

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, HUTTER, AND SCALISE

AN ACT

To enact Chapter 19-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1741 through 1741.3, relative to telecommunications; to provide relative to unsolicited commercial electronic mail advertisements; to provide for definitions; to prohibit certain activities; to require certain disclosures and the maintenance of certain electronic mail addresses; to provide relative to electronic mail addresses provided by an employer; to provide for civil actions and damages; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1968 from the Committee on Finance.

HOUSE BILL NO. 1968—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2002-2003 Fiscal Year; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and recommitted to the Committee on Finance.

Motion to Make Special Order

Senator Cravins asked for and obtained a suspension of the rules for the purpose of making House Bill No. 2018, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Thursday, June 12, 2003 immediately following the Morning Hour.

Motion to Make Special Order

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of making House Bill No. 121, which was just advanced to a third reading and final passage, Special Order of the Day No. 2 on Thursday, June 12, 2003 immediately following the Morning Hour.

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions
Returned from the House of
Representatives with Amendments**

Senator Boissiere asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 773 be called from the Calendar at this time.

SENATE BILL NO. 773—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 32:398(K)(1), relative to accident reports; to provide for fees charged for providing copies of accident reports; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 773 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 9, after "thousand" and before "the" delete the comma "," and insert "as of the 2000 federal decennial census."

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|------------|
| Mr. President | Heitmeier | McPherson |
| Adley | Hines | Michot |
| Barham | Holden | Mount |
| Boissiere | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, CD | Thomas |
| Ellington | Lentini | Ullo |
| Fontenot | Malone | |
| Gautreaux | Marionneaux | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|--------|---------|
| Bajoie | Cain | Lambert |
| Bean | Fields | |
| Total—5 | | |

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 11, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 131—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Dwayne A. Dupre.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 11, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 355—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2(7), and to enact R.S. 40:1484.4(C)(4)(e) and (f), relative to regulation of amusement attractions and rides; to provide for inspection; to provide for a definition; to provide for additional requirements for air-supported amusement attractions; and to provide for related matters.

SENATE BILL NO. 386—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:4751(B), relative to petitioning for name change of adults and minors; to provide for additional venues for filing for name change; and to provide for related matters.

SENATE BILL NO. 407—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2(8) and 1484.4, relative to regulation of amusement attractions and rides; to provide for inspection of air-supported structures; to provide for a definition; to provide for inspection; to provide for certification; and to provide for related matters.

SENATE BILL NO. 410—
BY SENATOR LENTINI (On Recommendation of the La Law Institute)
AN ACT

To amend and reenact Title XIII of Book III of the Civil Code formerly consisting of Articles 2926 through 2981, to comprise Articles 2926 through 2951; all relative to deposit, deposit with innkeepers, conventional sequestration, and judicial sequestration; to provide for a definition of deposit; to provide for matters for which no special provision is made; to provide for the nature of the contract of deposit; to provide for the formation of the contract of deposit; to provide for the standard by which a depositary is to fulfill his obligations; to provide for the use of the thing deposited by the depositary; to provide for when the thing deposited is a consumable; to provide for the return of the thing deposited; to provide for when the thing deposited is lost or deteriorated; to provide for the delivery of civil and natural fruits; to provide that the proof of ownership of the thing deposited is not required; to provide for when the thing deposited was a stolen thing; to provide for the place and expense of return; to provide for the time of return; to provide for the retention of the thing deposited by the depositary; to provide for the reimbursement of the depositary; to provide for the obligation of an innkeeper; to provide that an innkeeper is a compensated depositary for things of a guest that are delivered to him; to provide for when a safe is placed in a guest's room; to provide for when the things of a guest are stolen or damaged; to provide for a limitation on the liability of an innkeeper; to

provide for the definition of conventional sequestration; to provide for the application of the rules of deposit to conventional sequestration when compatible; to provide for the termination of conventional sequestration by the depositary; to provide for judicial sequestration; to provide for the application of the rules of deposit and conventional sequestration to judicial sequestration when compatible; to provide for the obligations and rights of a judicial depositary; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 473—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 9:391.1(A), relative to children conceived after the death of a parent; to provide that a child conceived after the death of a parent has all of the rights of a child as if the child had been in existence at the time of the death of the parent including the capacity to inherit from the deceased parent; to provide for the Louisiana State Law Institute to draft comments; and to provide for related matters.

SENATE BILL NO. 590—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:793(A)(1) and (2), (B)(1), (2), and (3), (D)(1) and (F), relative to dentistry; to provide with respect to the administration of certain types of anesthesia; and to provide for related matters.

SENATE BILL NO. 625—
BY SENATORS IRONS AND BOISSIERE AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:4711(A), 4712, and 4713(A) and (C), relative to public nuisance; to provide for definitions; to provide that a petition establishes a rebuttable presumption of certain activity; to provide for an award of expenses incurred in abating a public nuisance or civil penalties upon issuance of a final injunction; and to provide for related matters.

SENATE BILL NO. 631—
BY SENATOR HOYT

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:141 through 144; relative to cemetery districts; to provide for the creation of a cemetery district in St. Landry Parish; to provide for governing boards of the districts and their powers and duties; to provide for taxation; and to provide for related matters.

SENATE BILL NO. 648—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1787(D), 1793(A)(11), 1798(B), 1799(A), 1800(A) and (B), 1804(7), and 1807(A) and to enact R.S. 37:1798(C) and 1800(D), relative to pawnbrokers; to require the applicant to obtain insurance or post a surety bond; authorize the commissioner to verify an applicants network; to provide for the maturity date for forfeiture; to require the pawnbroker to provide certain information to local law enforcement; to provide for maximum allowable service charge; and to provide for related matters.

SENATE BILL NO. 680—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:454(B), relative to cemeteries; to provide for the definition of a designated trustee required for perpetual or endowed care cemeteries; and to provide for related matters.

SENATE BILL NO. 681—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:502(A), relative to certain trust fund requirements; to provide for the delivery of property or services at a future date; to provide for an increase in the trust fund requirement; and to provide for related matters.

SENATE BILL NO. 715—

BY SENATOR B. JONES

AN ACT

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of trotlines on Lake D'Arbonne; and to provide for related matters.

SENATE BILL NO. 723 (Duplicate of House Bill No. 354)—

BY SENATOR HAINKEL AND REPRESENTATIVE TOWNSEND AND COAUTHORED BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), and (6) and to enact R.S. 11:2260(A)(2)(g) and (h) and to repeal R.S. 11:2260(A)(2)(d), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 759—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3398.2, relative to business and industry advisory boards for institutions of postsecondary education; to create and provide for the Process Technology Advisory Board; to provide for its membership; to provide for its mission; and to provide for related matters.

SENATE BILL NO. 794—

BY SENATOR C. JONES AND REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 51:936.3, relative to economic development; to require participation between certain departments to prioritize certain funding mechanisms for economically depressed zones, communities, and businesses; and to provide for related matters.

SENATE BILL NO. 824—

BY SENATOR HEITMEIER AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1600(6)(a)(i), relative to unemployment benefits; to clarify law relative to prohibiting certain temporary teachers from receiving unemployment benefits during summer vacation between school terms; and to provide for related matters.

SENATE BILL NO. 841—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 40:1651, 1652(6) and (7), 1653(A), (B), (C)(1), (D), and (F)(3), 1655(B) and (D), 1657(A), (B), (C), (F), 1658(1)(a), (d), and (e), (2), (3), (4) and (7), 1659(2), (3), (6), 1660, 1660.1, and 1661, to enact R.S. 40:1652(8), and to repeal R.S. 40:1657(I) and 1660.2, relative to fire protection system; to make various technical changes; to provide for licensure and certification of certain persons; to provide for notice, hearing, and revocation of a certificate or license; to provide administrative penalties; to provide for additional penalties; to provide for the use of certain funds; and to provide for related matters.

SENATE BILL NO. 901—

BY SENATORS JOHNSON, BARHAM, CHAISSON, DARDENNE, DEAN, DUPRE, HINES, HOLDEN, B. JONES, C. JONES, MICHOT, ROMERO, THEUNISSEN AND THOMAS AND REPRESENTATIVES DANIEL, HILL AND MURRAY

AN ACT

To amend and reenact R.S. 40:1300.26 and 1300.46 and to enact R.S. 40:1300.28 and 1300.48, relative to health; to authorize adoption of ordinances regulating smoking in the workplace and public places; to provide for exemptions; and to provide for related matters.

SENATE BILL NO. 1040—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 26:2(7), 71(A)(introductory paragraph) and (1), 80(B) and (C)(2), 85, 271(A)(introductory paragraph) and (5), 273(A)(2) through (5) and (B), 280(B) and to enact R.S. 26:2(20), relative to alcoholic beverages; to require certain persons to obtain a permit to deal in alcoholic beverages; to provide for requirements; to provide exemptions; and to provide for related matters.

SENATE BILL NO. 1058—

BY SENATOR SMITH

AN ACT

To authorize the Board of Supervisors of Community and Technical Colleges to transfer title to certain property; to authorize certain municipalities to engage in such transfers; and to provide for related matters.

SENATE BILL NO. 24—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(b), relative to the regulation of amusement attractions and rides; to provide for the inspection qualifications for air-supported structures; and to provide for related matters.

SENATE BILL NO. 39—

BY SENATOR DUPRE AND REPRESENTATIVE PITRE

AN ACT

To enact Part VI-B of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:126, and to repeal R.S. 49:121(A)(2), relative to public vehicles; to provide for the placement of certain promotional stickers on public vehicles; and to provide for related matters.

SENATE BILL NO. 62—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact Code of Civil Procedure Art. 4501, relative to representation of minors; to authorize the mother to represent the minor in certain circumstances; and to provide for related matters.

SENATE BILL NO. 68—

BY SENATOR SMITH

AN ACT

To enact R.S. 33:381(C)(27), relative to municipal officers; to provide that the village of Dry Prong shall appoint the chief of police; to provide for the salary, duties, qualifications, and responsibilities of the chief of police; and to provide for related matters.

SENATE BILL NO. 84—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

SENATE BILL NO. 141—

BY SENATOR DUPRE

AN ACT

To enact R.S. 32:408(B)(4)(c), relative to school bus drivers; to provide for a restriction to commercial driver's licenses for operation only of a school bus; and to provide for related matters.

SENATE BILL NO. 171—

BY SENATOR B. JONES AND REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 9:2799(A)(2) and (B)(1), relative to limitation of liability for damages from donated food; to provide for the limitation of liability for damages from donated food for certain designated distributors; to provide that the definition of a "food bank" include distributing edible products to designated distributors; and to provide for related matters.

SENATE BILL NO. 300—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 9:1581, relative to the appointment of public administrators for successions in certain parishes; to provide for the appointment and terms of such administrators; and to provide for related matters.

SENATE BILL NO. 322—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.47(G)(4), relative to medical review panels; to provide for certain written reasons to be included in expert opinions rendered by the medical review panel; and to provide for related matters.

SENATE BILL NO. 336—

BY SENATOR FIELDS AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 23:1310.5(E), relative to workers' compensation; to provide with respect to claim resolution; to provide for hearing and appellant procedures; to provide for surgical procedures; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 11, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 24—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 41:1212(B)(1), relative to lease of school board land; to exempt the West Baton Rouge Parish School Board from advertisement and bid requirements when leasing sixteenth section school board land for agricultural purposes; and to provide for related matters.

HOUSE BILL NO. 29—

BY REPRESENTATIVE SALTER

AN ACT

To repeal R.S. 38:2241.2, relative to construction contract reporting requirements; to repeal reporting requirements for certain Department of Transportation and Development contracts.

HOUSE BILL NO. 207—

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 33:9103(A)(5), relative to the Lincoln Parish Communications District; to increase the membership of the board of commissioners; to provide relative to the terms of office of the board members; and to provide for related matters.

HOUSE BILL NO. 230—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 33:1704.1(D), to enact R.S. 13:1883(I), and to repeal R.S. 13:1883(A)(11), relative to the salary of the marshal for the City Court of Natchitoches; to set the salary for the office of marshal; to provide for source of payment of the salary; to provide for receipt and deposit of fees for service of process in civil matters; and to provide for related matters.

HOUSE BILL NO. 259—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 17:3021 and R.S. 36:642(D)(2), to enact R.S. 17:3048.2(F) and (G), and to repeal R.S. 17:3023(B), 3023.8.1, 3026, 3027, 3028, 3030, 3036, 3036.1, Chapter 20-A of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3041 through 3041.7, Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.11 through 3042.14, Chapter 20-B-3 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.31 through 3042.36, and Chapter 20-C of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3043 through 3043.2, all relative to the administrative powers and duties of the Louisiana Student Financial Assistance Commission; to repeal certain student financial assistance programs that the commission is authorized to administer; to provide for the continuance of certain tuition payments awarded pursuant to two such programs; to delete provisions relative to the review and approval by the commission of certain applications; and to provide for related matters.

HOUSE BILL NO. 292—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a), relative to commercial motor vehicle drivers; to require the disqualification of driving privileges for certain drivers; and to provide for related matters.

HOUSE BILL NO. 293—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:409.1(A)(1)(e) and (6)(a), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to require certain information to be submitted by applicants for a commercial driver's license; to require the department to check certain driving record information relative to commercial driver's license applicants; and to provide for related matters.

HOUSE BILL NO. 318—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:409.1(A)(8), relative to drivers' licenses; to prohibit the department from issuing certain commercial drivers' licenses and permits under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 319—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:408(B)(3)(introductory paragraph) and (f) and to enact R.S. 32:408(B)(3)(g), relative to drivers' licenses; to create a school bus endorsement for commercial drivers' licenses; to require the department to issue endorsements under certain circumstances; to provide for exceptions; to authorize the department to implement a federal waiver program; and to provide for related matters.

HOUSE BILL NO. 333—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1472.3(A) and R.S. 51:655(A) and (B)(2) and 658(A)(2) and to enact R.S. 51:650(9) through (12) and 655(E), relative to fireworks; to revise provisions relative to the public display of fireworks; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 343—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 33:2721.13, relative to Tensas Parish; to authorize the governing authority of Tensas Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

HOUSE BILL NO. 344—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 46:1053(N)(1)(b) and (2)(a) and to repeal R.S. 46:1053(N)(3), relative to the North Caddo Hospital Service District; to provide relative to the board of commissioners of the district; to provide relative to the terms of office of such members; and to provide for related matters.

HOUSE BILL NO. 347—

BY REPRESENTATIVES GARY SMITH, POWELL, AND JANE SMITH

AN ACT

To enact R.S. 17:3048.1(H)(3), to permit certain students under specified circumstances to receive TOPS Opportunity, Performance, and Honors award benefits for postgraduate study; to provide for limitations; to provide relative to the powers and duties of the Louisiana Student Financial Assistance Commission; to provide for implementation; and to provide for related matters.

HOUSE BILL NO. 369—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(d)(v) and to enact R.S. 32:414.2(A)(1)(d)(vi) through (ix), relative to commercial motor vehicle drivers; to provide relative to "serious traffic violations" for commercial motor vehicle drivers; to add certain offenses to the list of "serious traffic violations"; and to provide for related matters.

HOUSE BILL NO. 389—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to require the department to notify certain licensing entities of driving disqualifications; to provide relative to the requirements of such notice; to require certain information to be included in official operating records; and to provide for related matters.

HOUSE BILL NO. 432—

BY REPRESENTATIVES POWELL AND CAZAYOUX AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 2:135.1(B)(2)(b), relative to airports and aviation; to provide relative to certain airport leases; to reduce the value of improvements or construction necessary for the extension of the primary lease term for certain leases; and to provide for related matters.

HOUSE BILL NO. 451—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 32:863(D), relative to motor vehicle liability security; to provide relative to the sanctions for failure to maintain motor vehicle liability security; to provide relative to reinstatement requirements of motor vehicle registrations; to prohibit the renewal of a driver's license, issuance of a duplicate license, renewal of a motor vehicle registration, or reissuance of a motor vehicle registration under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 493—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to authorize the department to report certain drivers to the Federal Motor Carrier Safety Administration; to provide relative to the definition of imminent hazard; to require certain disqualifications to become part of an individual's official operating record; to provide relative to disqualification periods; and to provide for related matters.

HOUSE BILL NO. 581—

BY REPRESENTATIVES DEWITT AND BRUCE

AN ACT

To amend and reenact R.S. 33:4161, relative to public utilities; to include emergency medical services in the definition of revenue-producing public utility; and to provide for related matters.

HOUSE BILL NO. 582—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(2)(g) and (h) and (4)(e) and (f), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial motor vehicle drivers; to require the department to disqualify, for a lifetime, commercial driving privileges for certain offenses; to require the department to disqualify, for a minimum of one year, commercial driving privileges for certain offenses; and to provide for related matters.

HOUSE BILL NO. 589—

BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH

AN ACT

To enact R.S. 1:55(E)(1)(d), relative to legal holidays; to require the clerk of court in the parishes of St. James and St. John the Baptist to close their offices on days proclaimed by the governor to be a holiday; to provide for an exception; and to provide for related matters.

HOUSE BILL NO. 618—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 22:1460, relative to insurance agents; to specify the manner in which certain life and health insurance agents may obtain information from applicants; and to provide for related matters.

HOUSE BILL NO. 632—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:427(A)(1) and (3) and to enact R.S. 32:427(A) (5), relative to commercial motor vehicle drivers; to increase the penalty for commercial motor vehicle driver convictions for violations of out-of-service orders; to impose a penalty against employers for certain convictions; and to provide for related matters.

HOUSE BILL NO. 688—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:3286(A)(1)(d) and (e), (2)(a) and (b), and (3)(b), (c), (e), and (f) and to enact R.S. 37:3286(A)(3)(j) and (k), relative to fees assessed by the Louisiana State Board of Private Security Examiners; to provide for fees for baton instruction; to increase certain fees; and to provide for related matters.

HOUSE BILL NO. 694—

BY REPRESENTATIVES ANSARDI, BOWLER, CAPELLA, DAMICO, MARTINY, MONTGOMERY, SCALISE, SNEED, THOMPSON, TOOMY, AND SCHNEIDER AND SENATORS LENTINI AND ULLO

AN ACT

To enact R.S. 44:3.1, relative to records of public bodies; to exempt certain records pertaining to security procedures from public records laws; to provide terms and conditions; and to provide for related matters.

HOUSE BILL NO. 701—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1563(B)(4), 1573, and 1575, relative to fire protection; to prohibit the fire marshal from inspecting "one- or two-family dwellings"; and to provide for related matters.

HOUSE BILL NO. 703—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.26(D), relative to motor vehicle sales finance; to provide relative to gap insurance coverage; to provide relative to lenders; and to provide for related matters.

HOUSE BILL NO. 722—

BY REPRESENTATIVES DEWITT AND FARRAR AND SENATORS ELLINGTON AND MCPHERSON

AN ACT

To amend and reenact R.S. 51:61, 64, and 65, relative to foreign trade zones; to authorize the England Economic and Industrial Development District to make applications to be designated as a foreign trade zone; and to provide for related matters.

HOUSE BILL NO. 769—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:412(D)(3)(c), relative to Class "D" or "E" driver's license renewals; to provide for the period that a license may be expired but still eligible for renewal by mail or electronic commerce; and to provide for related matters.

HOUSE BILL NO. 770—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(E), relative to commercial motor vehicle drivers; to provide relative to the notice requirements of the Federal Motor Carrier Safety Administration; to require the department to notify other licensing jurisdictions of certain convictions; to require other licensing jurisdictions to notify the department of certain convictions; to provide relative to an individual's official operating record; and to provide for related matters.

HOUSE BILL NO. 786—

BY REPRESENTATIVES DANIEL AND WELCH

AN ACT

To repeal Section 4 of Act No. 47 of the 2002 First Extraordinary Session of the Legislature, relative to the Capitol House Taxing District; to remove the provision making the law providing for the district effective upon the transfer of property of the district to the East Baton Rouge City-Parish; and to provide for related matters.

HOUSE BILL NO. 951—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:449(A)(1), relative to the family responsibility program; to designate the Department of Health and Hospitals to administer the program; and to provide for related matters.

HOUSE BILL NO. 1039—

BY REPRESENTATIVE WINSTON AND SENATORS ELLINGTON AND HOLLIS

AN ACT

To repeal R.S. 22:1534 as enacted by Act No. 320 of the 1970 Regular Session of the Legislature and R.S. 22:1534 as enacted by Act No. 738 of the 1970 Regular Session of the Legislature, relative to group insurance; to repeal the prohibitions against group insurance for property and casualty insurance.

HOUSE BILL NO. 1197—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact R.S. 25:379.1(C)(2)(a), relative to the Louisiana State Exhibit Museum; to change the membership of the governing board of the museum; and to provide for related matters.

HOUSE BILL NO. 1283—

BY REPRESENTATIVE LANCASTER AND SENATORS JOHNSON AND ULLO

AN ACT

To enact R.S. 18:425(B)(4), to allow students age seventeen who are seniors in high school to serve as commissioners on election day; and to provide for related matters.

HOUSE BILL NO. 1358—

BY REPRESENTATIVES BRUNEAU AND LANCASTER (BY FEDERAL MANDATE)

AN ACT

To amend and reenact R.S. 18:24 and 574(A)(2) and to enact Subparts F and G of Part V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:566 through 567.6, relative to provisional voting and Title III complaint procedures as mandated by the Help America Vote Act of 2002; to provide for the powers and duties of the state board of election supervisors to extend to Title III complaint procedures; to provide for the compilation and promulgation of election results to include any counted provisional votes; to provide for provisional voting on election day and in person absentee; to provide for provisional voting in the event that the poll hours of an election for federal office are extended; to provide for the registrar of voters to record who uses a provisional ballot; to provide for agencies to provide and compile information as necessary to determine whether a provisional ballot shall be counted; to provide for the tabulation of provisional votes; to provide for the voter to determine whether his provisional vote was counted; to provide for a complaint procedure for alleged violations of Title III of the Help America Vote Act; to provide for a procedure for filing a complaint; to provide for procedures for processing the complaint; to provide for the board to conduct a hearing and provide a final decision and the reasons therefor; to provide for remedies; to provide for the Division of Administrative Law to assign the complaint to an administrative law judge if the

complaint is not heard or decided timely by the board of election supervisors; to provide for the computation of time intervals; to provide for the complaint procedure to be exempt from the administrative hearing process of Chapter 13-B of Title 49; to provide for judicial review of a final decision of the board or resolution of the administrative law judge; and to provide for related matters.

HOUSE BILL NO. 1438—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:245(A) and 246(1), (2), and (9), relative to a pilot health insurance program; to provide for small employers; to provide for eligibility; to provide for health insurance issuers; and to provide for related matters.

HOUSE BILL NO. 1508—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:1401(E) and (F), 1404(5), 1405(C), 1406(A), (B), and (D)(1)(a)(ii) and (c)(i)(introductory paragraph), 1407(A)(1) and (2)(introductory paragraph), (B), (C), (D), (E), (G), (H), and (K), 1408, 1409(A), (B), (D), and (G)(2), 1410, 1411, 1413(B), (C), and (D), 1414(B), 1415, 1416, 1418, 1419(A)(1) and (B), and 1422 and to repeal R.S. 22:1401(G) and (H), 1406(C) and (D)(7), 1407(J) and (L), 1417.1, and 1420, relative to the functions, duties, and activities of the Louisiana Insurance Rating Commission; to provide for the office of property and casualty; to provide for procedures; to provide for expenses; and to provide for related matters.

HOUSE BILL NO. 1605—

BY REPRESENTATIVES ILES, DOERGE, HILL, PITRE, JOHN SMITH, AND SENATOR ADLEY

AN ACT

To enact R.S. 40:1300.143(3)(a)(viii), (ix), and (x), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1629—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625(C)(2)(b) and (9)(introductory paragraph) and 1628(A)(3)(b) and (B)(3), relative to fire protection engineers and mechanical engineers; to provide for licensing as fire protection sprinkler systems contractors; to eliminate errors and omissions insurance requirement; and to provide for related matters.

HOUSE BILL NO. 1630—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1563(B)(introductory paragraph) and (4) and (C), relative to the state fire marshal; to provide for additional requirements for the creation and operation of fire prevention bureaus; to provide for jurisdictional rules for inspections; and to provide for related matters.

HOUSE BILL NO. 1768—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 49:150.2, relative to the state capitol complex; to permit use of certain unlicensed state vehicles within the state capitol complex; to provide for conditions for use of such vehicles; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1770—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 23:921(B) and to enact R.S. 23:921(H), relative to employment contracts; to provide that interested parties may agree to refrain from engaging in similar businesses under certain circumstances; to provide that employees may not engage in similar businesses under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1836—

BY REPRESENTATIVES BAYLOR, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, POWELL, JANE SMITH, SWILLING, DEWITT, ALARIO, ARNOLD, BALDONE, BAUDOUIN, BOWLER, BROOME, K. CARTER, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DEVILLIER, DIEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRUGE, FUTRELL, GALLOT, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, WOOTON, AND WRIGHT AND SENATORS BARHAM, HOLDEN, C. JONES, AND ULLO

AN ACT

To enact R.S. 17:1603, relative to state buildings; to provide that the band hall located on Elton C. Harrison Drive at Southern University at Baton Rouge be renamed the Isaac Greggs Band Hall; to provide that the building in Shreveport known as the Multicultural Center of the South be renamed the Mrs. Balistine Williams Tarver Hopkins Building; and to provide for related matters.

HOUSE BILL NO. 1904 (Duplicate Bill of Senate Bill No. 377)—

BY REPRESENTATIVE DURAND AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:2017.11, relative to fees for review of plans by the Department of Health and Hospitals; to increase fees for the review of construction plans for hospitals, ambulatory surgical centers, nursing homes, and group or community homes or other residential living options by the Department of Health and Hospitals; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

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| Bean | 1 Day | Fields | 1 Day |
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Adjournment

Senator Ullo moved that the Senate adjourn until Thursday, June 12, 2003, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, June 12, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk